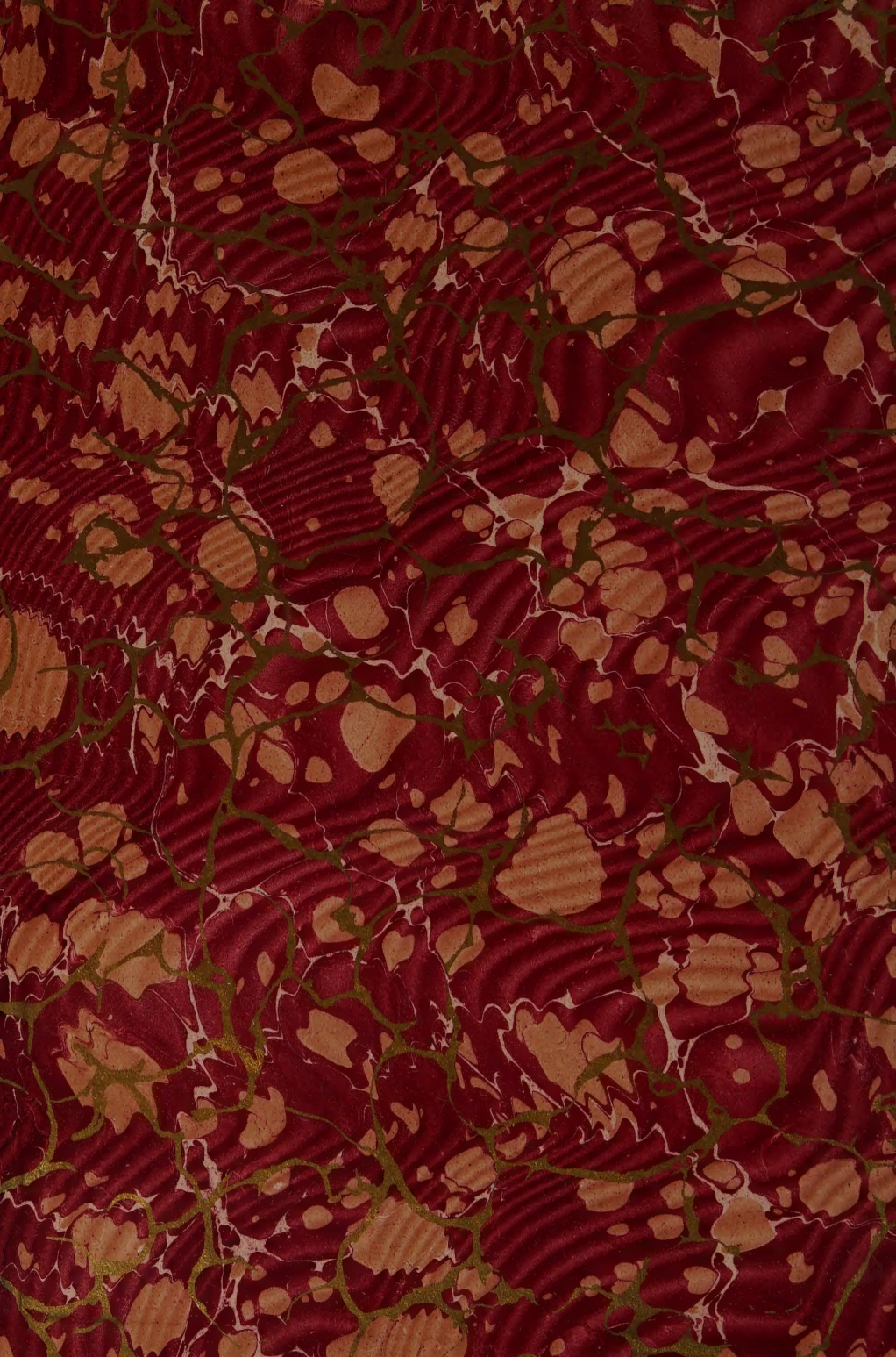
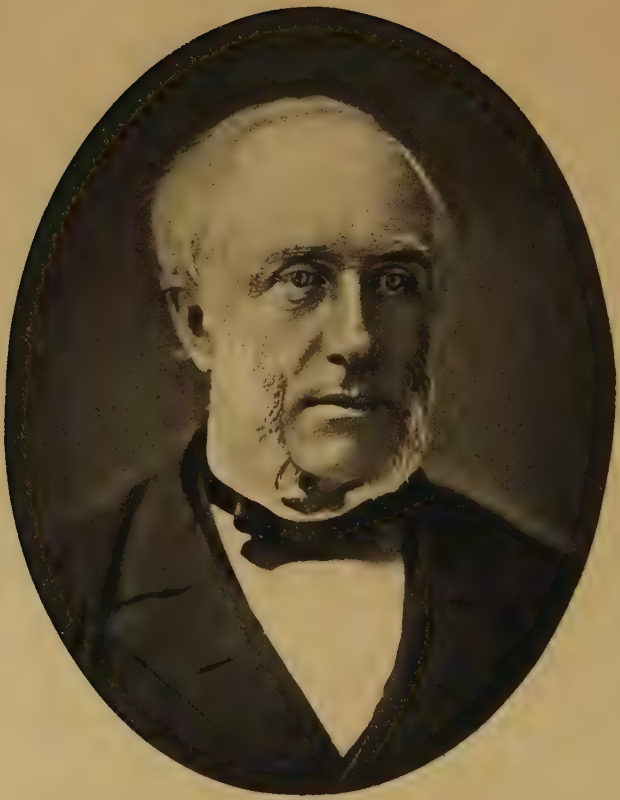


Parkman Edition

THE MAKERS OF CANADA

VOL XIX

GEORGE BROWN



Geo. Brown

THE MAKERS OF CANADA

GEORGE BROWN

BY

JOHN LEWIS

TORONTO
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PREFACE

THE title of this series, "Makers of Canada," seemed to impose on the writer the obligation to devote special attention to the part played by George Brown in fashioning the institutions of this country. From this point of view the most fruitful years of his life were spent between the time when the *Globe* was established to advocate responsible government, and the time when the provinces were confederated and the bounds of Canada extended from the Atlantic to the Pacific. The ordinary political contests in which Mr. Brown and his newspaper engaged have received only casual notice, and the effort of the writer has been to trace Mr. Brown's connection with the stream of events by which the old legislative union of Canada gave place to the confederated Dominion.

After the establishment of responsible government, the course of this stream is not obscure. Brown is found complaining that Upper Canada is inadequately represented and is dominated by its partner. Various remedies, such as dissolution of the union, representation by population and the "double majority," are proposed; but ultimately the solution is found in federation, and to this solution, and the events leading up to it, a large part of the book is devoted. Mr. Brown was also

an ardent advocate of the union with Canada of the country lying west to the Rocky Mountains, and to this work reference is made.

Mr. Brown was one of those men who arouse strong friendships and strong animosities. These have been dealt with only where they seemed to have a bearing upon history, as in the case of Sir John A. Macdonald and of the Roman Catholic Church. It seems to be a profitless task for a biographer to take up and fight over again quarrels which had no public importance and did not affect the course of history.

The period covering Mr. Brown's career was one in which the political game was played roughly, and in which strong feelings were aroused. To this day it is difficult to discuss the career of the Hon. George Brown, or of Sir John A. Macdonald, without reviving these feelings in the breasts of political veterans and their sons; and even one who tries to study the time and the men and to write their story, finds himself taking sides with men who are in their graves, and fighting for causes long since lost and won. The writer has tried to resist the temptation of building up the fame of Brown by detracting from that of other men, but he has also thought it right in many cases to present Brown's point of view, not necessarily as the whole truth, but as one of the aspects of truth.

In dealing with the question of confederation, my endeavour has been simply to tell the story of

Brown's work and let it speak for itself, not to measure the exact proportion of credit due to Brown and to others. It is hard to believe, however, that the verdict of history will assign to him a place other than first among the public men of Canada who contributed to the work of confederation. Events, as D'Arcy McGee said, were probably more powerful than any of them.

If any apology is needed for the space devoted to the subject of slavery in the United States, it may be found not only in Brown's lifelong opposition to slavery, but in the fact that the Civil War influenced the relations between the United States and Canada, and indirectly promoted the confederation of the Canadian provinces, and also in the fact, so frequently emphasized by Mr. Brown, that the growth of the institution of slavery on this continent was a danger to which Canada could not be indifferent.

Among the works that have been found useful for reference are John Charles Dent's *Last Forty Years* (Canada since the union of 1841); *Gray on Confederation;* Coté's *Political Appointments and Elections in the Province of Canada;* Dr. Hodgins' *Legislation and History of Separate Schools in Upper Canada;* the lives of *Lord Elgin, Dr. Ryerson* and *Joseph Howe* in "The Makers of Canada" series; the Hon. Alexander Mackenzie's *Life and Speeches of the Hon. George Brown;* the Hon. James Young's *Public Men*

and Public Life in Canada. Mr. Mackenzie's book contains a valuable collection of letters, to which frequent reference is made in the chapters of this book dealing with confederation. The account of the relations of the Peel government with Governor Sir Charles Bagot is taken from the *Life of Sir Robert Peel,* from his correspondence, edited by C. S. Parker. The files of the *Banner* and the *Globe* have been read with some care; they were found to contain an embarrassing wealth of most interesting historical material.

To Dr. James Bain, Librarian of the Toronto Free Library, and to Mr. Avern Pardoe, of the Library of the Legislative Assembly, I am deeply indebted for courtesy and assistance.

JOHN LEWIS.

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CHAPTER I

FROM SCOTLAND TO CANADA

GEORGE BROWN was born at Alloa, a seaport on the tidal Forth, thirty-five miles inward from Edinburgh, on November 29th, 1818. His mother was a daughter of George Mackenzie, of Stornoway, in the Island of Lewis. His father, Peter Brown, was a merchant and builder. George was educated at the High School and Southern Academy in Edinburgh. "This young man," said Dr. Gunn, of the Southern Academy, "is not only endowed with high enthusiasm, but possesses the faculty of creating enthusiasm in others." At the risk of attaching too much significance to praise bestowed on a school-boy, it may be said that these words struck the keynote of Brown's character and revealed the source of his power. The atmosphere of the household was Liberal; father and son alike hated the institution of slavery, with which they were destined to become more closely acquainted. "When I was a very young man," said George Brown, denouncing the Fugitive Slave Law before a Toronto audience, "I used to think that if I ever had to speak before such an audience as this, I would choose African Slavery as my theme in preference to any other topic. The subject seemed to

afford the widest scope for rhetoric and for fervid appeals to the best of human sympathies. These thoughts arose far from here, while slavery was a thing at a distance, while the horrors of the system were unrealized, while the mind received it as a tale and discussed it as a principle. But, when you have mingled with the thing itself, when you have encountered the atrocities of the system, when you have seen three millions of human beings held as chattels by their Christian countrymen, when you have seen the free institutions, the free press and the free pulpit of America linked in the unrighteous task of upholding the traffic, when you have realized the manacle, and the lash, and the sleuth-hound, you think no more of rhetoric, the mind stands appalled at the monstrous iniquity, mere words lose their meaning, and facts, cold facts, are felt to be the only fit arguments."

Again, as George grew to manhood, the struggle which ended in the disruption of the Church of Scotland was approaching its climax, and the sympathies of the Brown household were with those who declared that it "is the fundamental law of this Church that no pastor shall be intruded on any congregation contrary to the will of the people."

In 1838 reverses in business led the father and son to seek their fortunes in America. Arriving in New York, Peter Brown turned to journalism, finding employment as a contributor to the *Albion*, a weekly newspaper published for British residents

of the United States. The Browns formed an unfavourable opinion of American institutions as represented by New York in that day. To them the republic presented itself as a slave-holding power, seeking to extend its territory in order to enlarge the area of slavery, and hostile to Great Britain as a citadel of freedom. They always regarded the slave-holding element in the United States as that which kept up the tradition of enmity to England. An American book entitled, *The Glory and Shame of England,* aroused Peter Brown's indignation, and he published a reply in a little volume bearing the name of *The Fame and Glory of England Vindicated.* Here he paid tribute to British freedom, contrasted it with the domination of the slave holders, and instanced the fact that in Connecticut a woman had been mobbed and imprisoned for teaching coloured girls to read. Further light is thrown upon the American experience of the Browns by an article in the *Banner*, their first Canadian venture in journalism. The writer is answering an accusation of disloyalty and Yankee sympathies, a stock charge against Reformers in that day. He said: "We have stood in the very heart of a republic, and fearlessly issued our weekly sheet expressing our fervent admiration of the limited monarchy of Great Britain, though surrounded by Democratic Whigs, Democratic Republicans, Irish Repealers, slave holders, and every class which breathes the most inveterate hostility to British institutions.

And we are not to be turned from maintaining the genuine principles of the constitution because some of our contemporaries are taken with a fit of sycophancy, and would sacrifice all at the shrine of power."

In December, 1842, the Browns established in New York the *British Chronicle*, a paper similar to the *Albion*, but apparently designed more especially for Scottish and Presbyterian readers in the United States and Canada. In an effort to promote Canadian circulation, George Brown came to Canada early in 1843. The *Chronicle* had taken strong ground on the popular side of the movement then agitating the Church of Scotland; and this struggle was watched with peculiar interest in Canada, where the relations between Church and State were burning questions. Young Brown also met the members of a Reform administration then holding power under Governor Metcalfe, and the ministers became impressed with the idea that he would be a powerful ally in the struggle then impending.

There is on record an interesting pen picture of George Brown as he appeared at this time. The writer is Samuel Thompson, editor of the *Colonist*. "It was, I think, somewhere about the month of May, 1843, that there walked into my office on Nelson Street a young man of twenty-five years, tall, broad-shouldered, somewhat lantern-jawed and emphatically Scottish, who introduced himself to me as the travelling agent of the New York *British*

Chronicle, published by his father. This was George Brown, afterwards editor and publisher of the *Globe* newspaper. He was a very pleasant-mannered, courteous, gentlemanly young fellow, and impressed me favourably. His father, he said, found the political atmosphere of New York hostile to everything British, and that it was as much as a man's life was worth to give expression to any British predilections whatsoever (which I knew to be true). They had, therefore, thought of transferring their publication to Toronto, and intended to continue it as a thoroughly Conservative journal. I, of course, welcomed him as a co-worker in the same cause with ourselves, little expecting how his ideas of Conservatism were to develop themselves in subsequent years." His Conservatism—assuming that the young man was not misunderstood—was perhaps the result of a reaction from the experience of New York, in which democracy had presented itself in an unlovely aspect. Contact with Toronto Toryism of that day would naturally stiffen the Liberalism of a combative man.

As a result of George Brown's survey of the Canadian field, the publication of the *British Chronicle* in New York ceased, and the Browns removed to Toronto, where they established the *Banner*, a weekly paper partly Presbyterian and partly political, and in both fields championing the cause of government by the people. The first number was issued on August 18th, 1843. Refer-

ring to the disruption of the "Scottish Church" that had occurred three months before, the *Banner* said: "If we look to Scotland we shall find an event unparalleled in the history of the world. Nearly five hundred ministers, backed by several thousand elders and perhaps a million of people, have left the Church of their fathers because the civil courts have trampled on what they deem the rights of the Christian people in Scotland, exhibiting a lesson to the world which must produce results that cannot yet be measured. The sacrifice made by these devoted ministers of the Gospel is great; their reward is sure."

The columns of the *Banner* illustrate in a striking way the intermingling, common in that day, of religion and politics. The *Banner's* chief antagonist was the *Church*, a paper equally devoted to episcopacy and monarchy. Here is a specimen bit of controversy. The *Church*, arguing against responsible government, declares that as God is the only ruler of princes, princes cannot be accountable to the people; and perdition is the lot of all rebels, agitators of sedition, demagogues, who work under the pretence of reforming the State. All the troubles of the country are due to parliaments constantly demanding more power and thereby endangering the supremacy of the mother country. The *Banner* is astonished by the unblushing avowal of these doctrines, which had not been so openly proclaimed since the days of "High Church and Sacheverell,"

and which if acted upon would reduce the people to the level of abject slaves. Whence, it asks, comes this doctrine of the irresponsibility of kings? "It has been dug up from the tombs of Roman Catholic and High Church priests and of Jacobite bigots. Wherever it gets a footing it carries bloodshed and persecution in its train. It cramps the freedom of thought. It represses commercial enterprise and industry. It dries up the springs of the human understanding. To what does Britain owe all her greatness but to that free range of intellectual exertion which prompted Watt and Arkwright in their wonderful discoveries, which carried Anson and Cook round the globe, and which enabled Newton to scale the heavens? Is the dial to be put back? Must the world once more adopt the doctrine that the people are made for kings and not kings for the people? Where will this treason to the British Constitution find the slightest warrant in the Word of God? We know that power alone proceeds from God, the very air we breathe is the gift of His bounty, and whatever public right is exercised from the most obscure elective franchise to the king upon his throne is derived from Him to whom we must account for the exercise of it. But does that accountability take away or lessen the political obligations of the social compact?—assuredly not."

This style of controversy was typical of the time. Tories drew from the French Revolution warnings

against the heedless march of democracy. Reformers based arguments on the "glorious revolution of 1688." A bill for the secularization of King's College was denounced by Bishop Strachan, the stalwart leader of the Anglicans, in language of extraordinary vehemence. The bill would hold up the Christian religion to the contempt of wicked men, and overturn the social order by unsettling property. Placing all forms of error on an equality with truth, the bill represented a principle "atheistical and monstrous, destructive of all that was pure and holy in morals and religion." To find parallels for this madness, the bishop referred to the French Revolution, when the Christian faith was abjured, and the Goddess of Reason set up for worship; to pagan Rome, which, to please the natives she had conquered, "condescended to associate their impure idolatries with her own."

These writings are quoted not merely as illustrations of extravagance of language. The language was the natural outcome of an extraordinary situation. The bishop was not a voice crying in the wilderness; he was a power in politics as well as in the Church, and had, as executive councillor, taken an important part in the government of the country. He was not making extravagant pretensions, but defending a position actually held by his Church, a position which fell little short of absolute domination. Religious equality was to be established, a great endowment of land converted from sectarian

to public purposes, and a non-sectarian system of education created. In this work Brown played a leading part, but before it could be undertaken it was necessary to vindicate the right of the people to self-government.

In November, 1843, the resignation of Metcalfe's ministers created a crisis which soon absorbed the energy of the Browns and eventually led to the establishment of the *Globe*. In the issue of December 8th, 1843, the principles of responsible government are explained, and the *Banner* gives its support to the ministers. It cannot see why less confidence should be bestowed by a governor-general in Canada than by a sovereign in the British empire. It deplores the rupture and declares that it still belongs to no political party. It has no liking for "Democracy," a word which even Liberals at that time seemed to regard with horror. It asks Presbyterians to stand fast for the enjoyment of civil and religious liberty. It exhorts the people of Canada to be firm and patient and to let no feeling of disappointment lead their minds to republicanism. Those who would restrict the liberties of Canada also dwell on the evils of republicanism, but they are the very people who would bring it to pass. The *Banner's* ideal is a system of just and equal government. If this is pursued, a vast nation will grow up speaking the same language, having the same laws and customs, and bound to the mother country by the strongest bonds of affection. The

Banner, which had at first described itself as independent in party politics, soon found itself drawn into a struggle which was too fierce and too momentous to allow men of strong convictions to remain neutral. We find politics occupying more and more attention in its columns, and finally on March 5th, 1844, the *Globe* is established as the avowed ally of Baldwin and Lafontaine, and the advocate of responsible government. It will be necessary to explain now the nature of the difference between Metcalfe and his ministers.

CHAPTER II

METCALFE AND THE REFORMERS

THE Browns arrived in Canada in the period of reconstruction following the rebellion of 1837-8. In Lord Durham's Report the rising in Lower Canada was attributed mainly to racial animosity—"two nations warring in the bosom of a single state"—"a struggle not of principles but of races." The rising in Upper Canada was attributed mainly to the ascendency of the "family compact"—a family only in the official sense. "The bench, the magistracy, the high offices of the episcopal church, and a great part of the legal profession, are filled by their adherents; by grant or purchase they have acquired nearly the whole of the waste lands of the province; they are all-powerful in the chartered banks, and till lately shared among themselves almost exclusively all offices of trust and profit. The bulk of this party consists, for the most part, of native born inhabitants of the colony, or of emigrants who settled in it before the last war with the United States; the principal members of it belong to the Church of England, and the maintenance of the claims of that Church has always been one of its distinguishing characteristics." Reformers discovered that even when they triumphed at

the polls, they could not break up this combination, the executive government remaining constantly in the hands of their opponents. They therefore agitated for the responsibility of the executive council to the legislative assembly.

Lord Durham's remedy was to unite Upper and Lower Canada, and to grant the demand for responsible government. He hoped that the union would in time dispose of the racial difficulty. Estimating the population of Upper Canada at four hundred thousand, the English inhabitants of Lower Canada at one hundred and fifty thousand, and the French at four hundred and fifty thousand, "the union of the two provinces would not only give a clear English majority, but one which would be increased every year by the influence of English immigration; and I have little doubt that the French, when once placed by the legitimate course of events and the working of natural causes, in a minority, would abandon their vain hopes of nationality."

The future mapped out by Lord Durham for the French-Canadians was one of benevolent assimilation. He underestimated their tenacity and their power of adapting themselves to new political conditions. They not only retained their distinctive language and customs, but gained so large a measure of political power that in time Upper Canada complained that it was dominated by its partner. The union was effected soon after the report, but the granting of responsible government was long

delayed. From the submission of Lord Durham's Report to the time of Lord Elgin, the question of responsible government was the chief issue in Canadian politics. Lord Durham's recommendations were clear and specific. He maintained that harmony would be restored "not by weakening but strengthening the influence of the people on its government; by confining within much narrower bounds than those hitherto allotted to it, and not by extending, the interference of the imperial authorities on the details of colonial affairs." The government must be administered on the principles that had been found efficacious in Great Britain. He would not impair a single prerogative of the Crown, but the Crown must submit to the necessary consequences of representative institutions, and must govern through those in whom the representative body had confidence.

These principles are now so well established that it is hard to realize how bold and radical they appeared in 1839. Between that time and 1847, the British government sent out to Canada three governors, with various instructions. Whatever the wording of these instructions was, they always fell short of Durham's recommendations, and always expressed a certain reluctance to entrusting the government of Canada unreservedly to representatives of the people.

From 1842 to 1846 the government in Great Britain was that of Sir Robert Peel, and it was

that government which set itself most strongly against the granting of autonomy to Canada. It was Conservative, and it probably received from correspondents in Canada a good deal of misinformation and prejudiced opinion in regard to the aims of the Reformers. But it was a group of men of the highest character and capacity, concerning whom Gladstone has left on record a remarkable testimony. "It is his conviction that in many of the most important rules of public policy, that government surpassed generally the governments which have succeeded it, whether Liberal or Conservative. Among them he would mention purity in patronage, financial strictness, loyal adherence to the principle of public economy, jealous regard to the rights of parliament, a single eye to the public interest, strong aversion to extension of territorial responsibilities, and a frank admission of the rights of foreign countries as equal to those of their own."

With this high estimate of the general character of the Peel government must be coupled the undoubted fact that it entirely misunderstood the situation in Canada, gave its support to the party of reaction, and needlessly delayed the establishment of self-government. We may attribute this in part to the distrust occasioned by the rebellion; in part to the use of partisan channels of information; but under all this was a deeper cause—inability to conceive of such a relation as exists between Great Britain and Canada to-day. In that

respect Peel and his colleagues resembled most of the public men of their time. They could understand separation; they could understand a relation in which the British government and its agents ruled the colonies in a kindly and paternal fashion; but a union under which the colonies were nations in all but foreign relations passed their comprehension. When the colonies asked for complete self-government it was supposed that separation was really desired. Some were for letting them go in peace. Others were for holding them by political and commercial bonds. Of the latter class, Stanley, colonial secretary under Peel, was a good type. He believed in "strong" governors; he believed in a system of preferential trade between Great Britain and the colonies, and his language might have been used, with scarcely any modification, by the Chamberlain party in the recent elections in Great Britain. When, in 1843, he introduced the measure giving a preference to Canadian wheat, he expressed the hope that it would restore content and prosperity to Canada; and when that preference disappeared with the Corn Laws, he declared that the basis of colonial union was destroyed.

From the union to September, 1842, no French-Canadian name appears in a Canadian government. French-Canadians were deeply dissatisfied with the terms of the union; there was a strong reluctance to admitting them to any share of power, and they complained bitterly that they were politically ostra-

cized by Sydenham, the first governor. His successor, Bagot, adopted the opposite policy, and earned the severe censure of the government at home.

On August 23rd, 1842, Sir Robert Peel wrote to Lord Stanley in terms which indicated a belief that Governor Bagot was experiencing great difficulty in carrying on the government. He spoke of a danger of French-Canadians and Radicals, or French-Canadians and Conservatives, combining to place the government in a minority. He suggested various means of meeting the danger, and said, "I would not voluntarily throw myself into the hands of the French party through fear of being in a minority."

Before instructions founded on this letter could reach the colony, the governor had acted, "throwing himself," in the words of Peel's biographer, "into the hands of the party tainted by disaffection." What had really happened was that on September 16th, 1842, the Canadian government had been reconstructed, the principal change being the introduction of Lafontaine and Baldwin as its leading members. This action aroused a storm in Canada, where Bagot was fiercely assailed by the Tories for his so-called surrender to rebels. And that view was taken also in England.

On October 18th, 1842, Mr. Arbuthnot wrote to Sir Robert Peel: "The Duke [Wellington] has been thunderstruck by the news from Canada. Between

ourselves, he considers what has happened as likely to be fatal to the connection with England; and I must also, in the very strictest confidence, tell you that he dreads lest it should break up the cabinet here at home."

On October 21st, Sir Robert Peel wrote to Lord Stanley, pointing out the danger of the duke's strong and decisive condemnation: "In various quarters the Duke of Wellington denouncing the arrangement as a tame surrender to a party tainted with treason, would produce an impression most dangerous to the government, if it could get over the effects produced by the first announcement of his retirement, on the ground of avowed difference of opinion." After reading Sir Charles Bagot's explanations, he admitted that the governor's position was embarrassing. "Suppose," he said in a subsequent letter, "that Sir C. Bagot was reduced to such difficulties that he had no alternative but to take the best men of the French-Canadian party into his councils, and that it was better for him to do this before there was a hostile vote; still, the manner in which he conducted his negotiations was a most unwise one. He makes it appear to the world that he courted and rejoiced in the necessity for a change in his councils." On October 24th the Duke of Wellington wrote expressing his agreement with Peel, and adding: "However, it appears to me that we must consider the arrangement as settled and adopted by the legislature of Canada.

It will remain to be considered afterwards what is to be done with Sir Charles Bagot and with his measures."

The question was solved by the death of the governor who had been unfortunate enough to arouse the storm, and to create a ministerial crisis in Great Britain. It is believed that his end was hastened by the news from England. He fell ill in November, grew steadily worse, and at last asked to be recalled, a request which was granted. At his last cabinet council he bade an affectionate farewell to his ministers, and begged them to defend his memory. His best vindication is found in the failure of Metcalfe's policy, and in the happy results of the policy of Elgin.

The events connected with the retirement of Bagot, which were not fully understood until the publication of Sir Robert Peel's papers a few years ago, throw light upon the reasons which determined the selection of Sir Charles Metcalfe. Metcalfe was asked by Lord Stanley whether he would be able and disposed to assume "most honourable and at the same time very arduous duties in the public service." Metcalfe wrote to Captain Higginson, afterwards his private secretary: "I am not sure that the government of Canada is a manageable affair, and unless I think I can go to good purpose I will not go at all." Sir Francis Hincks says: "All Sir Charles Metcalfe's correspondence prior to his departure from England is indicative of a feeling

that he was going on a forlorn hope expedition," and Hincks adds that such language can be explained only on the assumption that he was sent out for the purpose of overthrowing responsible government. It is certainly established by the Peel correspondence that the British government strongly disapproved of Sir Charles Bagot's policy, and selected Sir Charles Metcalfe as a man who would govern on radically different lines. It is perhaps putting it rather strongly to say that he was intended to overthrow responsible government. But he must have come to Canada filled with distrust of the Canadian ministry, filled with the idea that the demand for responsible government was a cloak for seditious designs, and ready to take strong measures to preserve British connection. In this misunderstanding lay the source of his errors and misfortunes in Canada.

It is not therefore necessary to enter minutely into the dispute which occasioned the rupture between Metcalfe and his advisers. On the surface it was a dispute over patronage. In reality Baldwin and Lafontaine were fighting for autonomy and responsible government; Metcalfe, as he thought, was defending the unity of the empire. He was a kindly and conscientious man, and he held his position with some skill, always contending that he was willing to agree to responsible government on condition that the colonial position was recognized, the prerogative of the Crown upheld,

and the governor not dominated by one political party.

The governor finally broke with his advisers in November, 1843. For some months he was to govern, not only without a responsible ministry, but without a parliament, for the legislature was immediately prorogued, and did not meet again before dissolution. His chief adviser was William Henry Draper, a distinguished lawyer, whose political career was sacrificed in the attempt to hold an impossible position. Reformers and Tories prepared for a struggle which was to continue for several years, and which, in spite of the smallness of the field, was of the highest importance in settling a leading principle of government.

On March 5th, 1844, as a direct consequence of the struggle, appeared the first issue of the Toronto *Globe*, its motto taken from one of the boldest letters of Junius to George III: "The subject who is truly loyal to the chief magistrate will neither advise nor submit to arbitrary measures." The leading article was a long and careful review of the history of the country, followed by a eulogy on the constitution enjoyed by Great Britain since "the glorious revolution of 1688," but denied to Canada. Responsible government was withheld; the governor named his councillors in defiance of the will of the legislature. Advocates of responsible government were stigmatized by the governor's friends as rebels, traitors, radicals and republicans. The *Globe*

proclaimed its adherence to Lord Durham's recommendation, and said: "The battle which the Reformers of Canada will fight is not the battle of a party, but the battle of constitutional right against the undue interference of executive power." The prospectus of the paper contained these words: "Firmly attached to the principles of the British Constitution, believing the limited monarchy of Great Britain the best system of government yet devised by the wisdom of man, and sincerely convinced that the prosperity of Canada will best be advanced by a close connection between it and the mother country, the editor of the *Globe* will support all measures which will tend to draw closer the bonds of a mutually advantageous union."

On March 25th, 1844, the campaign was opened with a meeting called by the Toronto Reform Association. Robert Baldwin, "father of responsible government," was in the chair, and William Hume Blake was the orator of the night. The young editor of the *Globe*, a recruit among veterans, seems to have made a hit with a picture of a ministry framed on the "no party" plan advocated by Governor Metcalfe. In this imaginary ministry he grouped at the same council table Robert Baldwin and his colleague Francis Hincks; Sir Allan MacNab, the Tory leader; William Henry Draper, Metcalfe's chief adviser; John Strachan, Bishop of Toronto; and Dr. Ryerson, leader of the Methodists and champion of the governor. His Excellency is on a

chair raised above the warring elements below. Baldwin moves that King's College be opened to all classes of Her Majesty's subjects. At once the combination is dissolved, as any one who remembers Bishop Strachan's views on that question will understand.

Dr. Ryerson, whose name was used by Brown in this illustration, was a leader among the Methodists, and had fought stoutly for religious equality against Anglican privilege. But he had espoused the side of the governor-general, apparently taking seriously the position that it was the only course open to a loyal subject. In a series of letters published in the summer of 1844, he warned the people that the Toronto Reform Association was leading them to the edge of a precipice. "In the same manner," he said, "I warned you against the Constitutional Reform Association, formed in 1834. In 1837 my warning predictions were realized, to the ruin of many and the misery of thousands. What took place in 1837 was but a preface of what may be witnessed in 1847." The warning he meant to convey was that the people were being drawn into a conflict with the imperial authorities. "Mr. Baldwin," he said, "practically renounces the imperial authority by refusing to appeal to it, and by appealing through the Toronto Association to the people of Canada. If the people of Canada are the tribunal of judgment on one question of constitutional prerogative, they are so on every question of constitu-

tional prerogative. Then the governor is no longer responsible to the imperial authority, and Canada is an independent country. Mr. Baldwin's proceeding, therefore, not only leads to independence but involves (unconsciously, I admit, from extreme and theoretical views), a practical declaration of independence before the arrival of the 4th of July!"

In this language Dr. Ryerson described with accuracy the attitude of the British government. That government had, as we have seen, disapproved of Governor Bagot's action in parting with so large a measure of power, and it was fully prepared to support Metcalfe in pursuing the opposite course. Dr. Ryerson was also right in saying that the government of Great Britain would be supported by parliament. In May, 1844, the affairs of Canada were discussed in the British House of Commons, and the governor's action was justified by Peel, by Lord Stanley, and by Lord John Russell. The only dissentient voices were those of the Radicals, Hume and Roebuck.

Metcalfe and his chiefs at home can hardly be blamed for holding the prevailing views of the time, which were that the changes contemplated by Durham, by Bagot, and by Baldwin were dangerous and revolutionary. The idea that a colony could remain connected with Great Britain under such a system of autonomy as we enjoy to-day was then conceived by only a few men of exceptional

breadth and foresight, among whom Elgin was one of the most eminent.

The wise leadership of Baldwin and Lafontaine and the patience and firmness of the Reformers are attested by their conduct in very trying circumstances. Finding their demand for constitutional reform opposed not only by the Canadian Tories, but by the governor-general and the imperial government and parliament, they might have become discouraged, or have been tempted into some act of violence. Their patience must have been sorely tried by the persistent malice or obstinate prejudice which stigmatized a strictly constitutional movement as treason. They had also to endure the trial of a temporary defeat at the polls, and an apparent rejection of their policy by the very people for whose liberties they were contending.

In the autumn of 1844 the legislature was dissolved and a fierce contest ensued. Governor Metcalfe's attitude is indicated by his biographer.[1] "The contest," he says, "was between loyalty on the one side and disaffection to Her Majesty's government on the other. That there was a strong anti-British feeling abroad, in both divisions of the province [Upper and Lower Canada] Metcalfe clearly and painfully perceived. The conviction served to brace and stimulate him to new exertions. He felt that he was fighting for his sovereign against a rebellious people." The appeal was successful; Upper Canada

[1] Kaye's *Life of Metcalfe*, Vol. II., p. 389.

was swept by the loyalty cry, and in various polling places votes were actually cast or offered for the governor-general. The *Globe* described a conversation that occurred in a polling place in York: "Whom do you vote for?" "I vote for the governor-general." "There is no such candidate. Say George Duggan, you blockhead." "Oh, yes, George Duggan; it's all the same thing." There were candidates who described themselves as "governor-general's men"; there were candidates whose royalist enthusiasm was expressed in the name "Cavaliers." In the Montreal election petition it was charged that during two days of polling the electors were exposed to danger from the attacks of bands of fighting men hired by the government candidates or their agents, and paid, fed, and armed with "bludgeons, bowie-knives, and pistols and other murderous weapons" for the purpose of intimidating the Liberal electors and preventing them from gaining access to the polls; that Liberals were driven from the polls by these fighting men, and by cavalry and infantry acting under the orders of partisan magistrates. The polls, it was stated, were surrounded by soldiers, field-pieces were placed in several public squares, and the city was virtually in a state of siege. The charges were not investigated, the petition being rejected for irregularity; but violence and intimidation were then common accompaniments of elections.

In November the governor was able to record his

victory thus: Upper Canada, avowed supporters of his government, thirty; avowed adversaries, seven; undeclared and uncertain, five. Lower Canada, avowed supporters, sixteen; avowed adversaries, twenty-one; undeclared and uncertain, four. Remarking on this difference between Upper and Lower Canada, he said that loyalty and British feeling prevailed in Upper Canada and in the Eastern Townships of Lower Canada, and that disaffection was predominant among the French-Canadian constituencies.[1] Metcalfe honestly believed he had saved Canada for the empire; but more mischief could hardly have been done by deliberate design. In achieving a barren and precarious victory at the polls, he and his friends had run the risk of creating that disaffection which they feared. The stigma of disloyalty had been unjustly affixed to honest and public-spirited men, whose steadiness alone prevented them, in their resentment, from joining the ranks of the disaffected. Worse still, the line of political cleavage had been identified with the line of racial division, and "French-Canadian" and "rebel" had been used as synonymous terms.

The ministry and the legislative assembly were now such as the governor had desired, yet the harmony was soon broken. There appeared divisions in the cabinet, hostile votes in the legislature, and finally a revolt in the Conservative press. An attempt to form a coalition with the French-Canadian

[1] Kaye's *Life of Metcalfe*, Vol. II., p. 390.

members drew a sarcastic comment from the *Globe*: "Mr. Draper has invited the men whom he and his party have for years stigmatized before the country as rebels and traitors and destructives to join his administration." Reformers regarded these troubles as evidence that the experiment in reaction was failing, and waited patiently for the end. Shortly after the election the governor was raised to the peerage, an honour which, if not earned by success in Canada, was fairly due to his honest intentions. He left Canada at the close of the year 1845, suffering from a painful disease, of which he died a year afterwards.

Soon after the governor's departure the young editor of the *Globe* had a curious experience. At a dinner of the St. Andrew's Society, Toronto, the president, Judge MacLean, proposed the health of Lord Metcalfe, eulogized his Canadian policy, and insisted that he had not been recalled, "as certain persons have most impertinently and untruly assumed and set forth." Brown refused to drink the toast, and asked to be heard, asserting that he had been publicly insulted from the chair. After a scene of uproar, he managed to obtain a hearing, and said, addressing the chairman: "I understand your allusions, sir, and your epithet of impertinence as applied to myself. I throw it back on you with contempt, and will content myself with saying that your using such language and dragging such matters before the society was highly improper. Lord

Metcalfe, sir, has been recalled, and it may yet be seen that it was done by an enlightened British government for cause. The toast which you have given, too, and the manner in which it was introduced, are highly improper. This is not the place to discuss Lord Metcalfe's administration. There is a wide difference of opinion as to it. But I refrain from saying one word as to his conduct in this province. This is not a political but a benevolent society, composed of persons of very varied political sentiments, and such a toast ought never to have been brought here. Lord Metcalfe is not now governor-general of Canada, and I had a right to refuse to do honour to him or not as I saw fit, and that without any disparagement to his conduct as a gentleman, even though the person who is president of this society thinks otherwise." This incident, trivial as it may appear, illustrates the passion aroused by the contest, and the bold and resolute character of the young politician.

Lord Metcalfe's successor was Earl Cathcart, a soldier who concerned himself little in the political disputes of the country, and who had been chosen because of the danger of war with the United States, arising out of the dispute over the Oregon boundary. The settlement of that dispute does not come within the scope of this work; but it may be noted that the *Globe* was fully possessed by the belligerent spirit of the time, and frankly expressed the hope that Great Britain would fight, not merely

for the Oregon boundary, but "to proclaim liberty to the black population." The writer hoped that the Christian nations of the world would combine and "break the chains of the slaves in the United States, in Brazil and in Cuba."

CHAPTER III

RESPONSIBLE GOVERNMENT

IN England, as well as in Canada, events were moving towards self-government. With the repeal of the Corn Laws in 1846 disappeared the preference to Canadian wheat. "Destroy this principle of protection," said Lord Stanley in the House of Lords, "and you destroy the whole basis upon which your colonial system rests." Loud complaints came from Canada, and in a despatch from Earl Cathcart to the colonial secretary, it was represented that the Canadian waterways had been improved on the strength of the report made to Great Britain, and that the disappointment and loss resulting from the abolition of the preference would lead to alienation from the mother country and "annexation to our rival and enemy, the United States." Gladstone, in his reply, denied that the basis of imperial unity was protection, "the exchange, not of benefits, but of burdens;" the true basis lay in common feelings, traditions and hopes. The *Globe* held that Canada had no right to complain if the people of the United Kingdom did what was best for themselves. England, as an exporter of manufactures, had to meet competition at the world's prices, and must have cheap food supplies. Canada had surely

a higher destiny than to export a few hundred bushels of wheat and flour to England. Canadian home manufactures must be encouraged, and efforts made to obtain free trade with the United States. "The Tory press," said the *Globe*, "are out in full cry against free trade. Their conduct affords an illustration of the unmitigated selfishness of Toryism. Give them everything they can desire and they are brimful of loyalty. They will shout pæans till they are sick, and drink goblets till they are blind in favour of 'wise and benevolent governors' who will give them all the offices and all the emoluments. But let their interests, real or imaginary, be affected, and how soon does their loyalty evaporate! Nothing is now talked of but separation from the mother country, unless the mother continues feeding them in the mode prescribed by the child."

Some time afterwards, Lord Elgin, in his communications to the home government, said that the Canadian millers and shippers had a substantial grievance, not in the introduction of free trade, but in the constant tinkering incident to the abandoned system of imperial protection. The preference given in 1843 to Canadian wheat and to flour, even when made of American wheat, had stimulated milling in Canada; but almost before the newly-built mills were fairly at work, the free trade measure of 1846 swept the advantage away. What was wrong was not free trade, but Canadian dependence on imperial tariff legislation.

Elgin was one of the few statesmen of his day who perceived that the colonies might enjoy commercial independence and political equality, without separation. He declared that imperial unity did not depend on the exercise of dominion, the dispensing of patronage, or the maintenance of an imperial hot-bed for forcing commerce and manufactures. Yet he conceived of an empire not confined to the British Islands, but growing, expanding, "strengthening itself from age to age, and drawing new supplies of vitality from virgin soils."

With Elgin's administration began the new era of self-government. The legislature was dissolved towards the close of the year 1847, and the election resulted in a complete victory for the Reformers. In Upper Canada the contest was fairly close, but in Lower Canada the Conservative forces were almost annihilated, and on the first vote in parliament the government was defeated by a large majority. The second Baldwin-Lafontaine government received the full confidence and loyal support of the governor, and by its conduct and achievements justified the reform that had been so long delayed, and adopted with so many misgivings. But the fight for responsible government was not yet finished. The cry of French and rebel domination was raised, as it had been raised in the days of Governor Bagot. A Toronto journal reproachfully referred to Lord Elgin's descent from "the Bruce," and asked how a man of royal ancestry could so

degrade himself as to consort with rebels and political jobbers. "Surely the curse of Minerva, uttered by a great poet against the father, clings to the son." The removal of the old office-holders seemed to this writer to be an act of desecration not unlike the removal of the famous marbles from the Parthenon. In a despatch explaining his course on the Rebellion Losses Bill, Lord Elgin said that long before that legislation there were evidences of the temper which finally produced the explosion. He quoted the following passage from a newspaper: "When French tyranny becomes insupportable, we shall find our Cromwell. Sheffield in olden times used to be famous for its keen and well-tempered whittles. Well, they make bayonets there now, just as sharp and just as well-tempered. When we can stand tyranny no longer, it will be seen whether good bayonets in Saxon hands will not be more than a match for a mace and a majority." All the fuel for a conflagration was ready. There was race hatred, there was party hostility, there was commercial depression and there was a sincere, though exaggerated, loyalty, which regarded rebellion as the unforgivable sin, and which was in constant dread of the spread of radical, republican and democratic ideas.

The Rebellion Losses Bill was all that was needed to fan the embers into flame. This was a measure intended to compensate persons who had suffered losses during the rebellion in Lower Can-

ada. It was attacked as a measure for "rewarding rebels." Lord Elgin afterwards said that he did not believe a rebel would receive a farthing. But even if we suppose that some rebels or rebel sympathizers were included in the list, the outcry against the bill was unreasonable. A general amnesty had been proclaimed; French-Canadians had been admitted to a full share of political power. The greater things having been granted, it was mere pedantry to haggle about the less, and to hold an elaborate inquiry into the principles of every man whose barns had been burned during the rebellion. When responsible government was conceded, it was admitted that even the rebels had not been wholly wrong. It would have been straining at a gnat and swallowing a camel to say "we will give you these free institutions for the sake of which you rebelled, but we will not pay you the small sum of money necessary to recompense you for losses arising out of the rebellion."

However, it is easier to discuss these matters coolly in 1906 than it was in 1849, and in 1849 the notion of "rewarding the rebels" produced another rebellion on a small scale. A large quantity of important legislation was brought down by the new government when it met the legislature early in 1849, but everything else was forgotten when Mr. Lafontaine introduced the resolution on which the Rebellion Losses Bill was founded. In various parts of Upper Canada meetings were held and

protests made against the measure. In Toronto the protests took the form of mob violence, foreshadowing what was to come in Montreal. Effigies of Baldwin and Blake were carried through the streets and burned. William Lyon Mackenzie had lately returned to Canada, and was living at the house of a citizen named Mackintosh. The mob went to the house, threatened to pull it down, and burned an effigy of Mackenzie. The windows of the house were broken and stones and bricks thrown in. The *Globe* office was apparently not molested, but about midnight the mob went to the dwelling-house of the Browns, battered at the door and broke some windows. The *Globe* in this trying time stood staunchly by the government and Lord Elgin, and powerfully influenced the public opinion of Upper Canada in their favour. Addresses calling for the withdrawal of Lord Elgin were met by addresses supporting his action, and the signatures to the friendly addresses outnumbered the other by one hundred and twenty thousand. George Brown, Col. C. T. Baldwin, and W. P. Howland were deputed to present an address from the Reformers of Upper Canada. Sir William Howland has said that Lord Elgin was so much affected that he shed tears.

This is not the place, however great the temptation may be, to describe the stirring scenes that were enacted in Montreal; the stormy debate, the fiery speech in which William Hume Blake hurled

back at the Tories the charge of disloyalty; the tumult in the galleries, the burning of the parliament buildings, and the mobbing and stoning of the governor-general.

Lord Elgin's bearing under this severe trial was admirable. He was most desirous that blood should not be shed, and for this reason avoided the use of troops or the proclamation of martial law; and he had the satisfaction of seeing the storm gradually subside. A less dangerous evidence of discontent was a manifesto signed by leading citizens of Montreal advocating annexation to the United States, not only to relieve commercial depression, but "to settle the race question forever, by bringing to bear on the French-Canadians the powerful assimilating forces of the republic." The signers of this document were leniently dealt with; but those among them who afterwards took a prominent part in politics, were not permitted to forget their error. Elgin was of opinion that there was ground for discontent on commercial grounds, and he advocated the removal of imperial restriction on navigation, and the establishment of reciprocity between the United States and the British North American provinces. The annexation movement was confined chiefly to Montreal. In Upper Canada an association called the British American League was formed, and a convention held at Kingston in 1849. The familiar topics of commercial depression and French domination were discussed; some violent

language was used, but the remedies proposed were sane enough; they were protection, retrenchment, and the union of the British provinces. Union, it was said, would put an end to French domination, and would give Canada better access to the sea and increased commerce. The British American League figures in the old, and not very profitable, controversy as to the share of credit to be allotted to each political party for the work of confederation. It is part of the Conservative case. But the platform was abandoned for the time, and confederation remained in the realm of speculation rather than of action.

CHAPTER IV

DISSENSION AMONG REFORMERS

WITHIN the limits of one parliament, less than four years, the Baldwin-Lafontaine government achieved a large amount of useful work, including the establishment of cheap and uniform postage, the reforming of the courts of law, the remodelling of the municipal system, the establishment of the University of Toronto on a non-sectarian basis, and the inauguration of a policy by which the province was covered with a network of railways. With such a record, the government hardly seemed to be open to a charge of lack of energy and progressiveness, but it was a time when radicalism was in the air. It may be more than a coincidence that Chartism in England and a revolution in France were followed by radical movements in both Canadas.

The counterpart to the Rouge party in Lower Canada, elsewhere referred to, was the Clear Grit party in Upper Canada. Among its leaders were Peter Perry, one of the founders of the Reform party in Upper Canada, Caleb Hopkins, David Christie, James Lesslie, Dr. John Rolph and William Macdougall. Rolph had played a leading part in the movement for reform before the rebellion,

and is the leading figure in Dent's history of that period. Macdougall was a young lawyer and journalist fighting his way into prominence.

"Grit" afterwards became a nickname for a member of the Reform or Liberal party, and especially for the enthusiastic followers of George Brown. Yet in all the history of a quarrelsome period in politics there is no more violent quarrel than that between Brown and the Clear Grits. It is said that Brown and Christie were one day discussing the movement, and that Brown had mentioned the name of a leading Reformer as one of the opponents of the new party. Christie replied that the party did not want such men, they wanted only those who were "Clear Grit." This is one of several theories as to the derivation of the name. The *Globe* denounced the party as "a miserable clique of office-seeking, bunkum-talking cormorants, who met in a certain lawyer's office on King Street [Macdougall's] and announced their intention to form a new party on Clear Grit principles." The *North American*, edited by Macdougall, denounced Brown with equal fury as a servile adherent of the Baldwin government. Brown for several years was in this position of hostility to the Radical wing of the party. He was defeated in Haldimand by William Lyon Mackenzie, who stood on an advanced Radical platform; and in 1851 his opponent in Kent and Lambton was Malcolm Cameron, a Clear Grit, who had joined the Hincks-Morin

government. The nature of their relations is shown by a letter in which Cameron called on one of his friends to come out and oppose Brown: "I will be out and we will show him up, and let him know what stuff Liberal Reformers are made of, and how they would treat fanatical beasts who would allow no one liberty but themselves."

The Clear Grits advocated, (1) the application of the elective principle to all the officials and institutions of the country, from the head of the government downwards; (2) universal suffrage; (3) vote by ballot; (4) biennial parliaments; (5) the abolition of property qualification for parliamentary representations; (6) a fixed term for the holding of general elections and for the assembling of the legislature; (7) retrenchment; (8) the abolition of pensions to judges; (9) the abolition of the Courts of Common Pleas and Chancery and the giving of an enlarged jurisdiction to the Court of Queen's Bench; (10) reduction of lawyers' fees; (11) free trade and direct taxation; (12) an amended jury law; (13) the abolition or modification of the usury laws; (14) the abolition of primogeniture; (15) the secularization of the clergy reserves, and the abolition of the rectories. The movement was opposed by the *Globe*. No new party, it said, was required for the advocacy of reform of the suffrage, retrenchment, law reform, free trade or the liberation of the clergy reserves. These were practical questions, on which the Reform party was united. But

these were placed on the programme merely to cloak its revolutionary features, features that simply meant the adoption of republican institutions, and the taking of the first step towards annexation. The British system of responsible government was upheld by the *Globe* as far superior to the American system in the security it afforded to life and property.

But while Brown defended the government from the attacks of the Clear Grits, he was himself growing impatient at their delay in dealing with certain questions that he had at heart, especially the secularization of the clergy reserves. He tried, as we should say to-day, "to reform the party from within." He was attacked for his continued support of a ministry accused of abandoning principles while "he was endeavouring to influence the members to a right course without an open rupture." There was an undercurrent of discontent drawing him away from the government. In October, 1850, the *Globe* contained a series of articles on the subject. It was pointed out that there were four parties in the country: the old-time Tories, the opponents of responsible government, whose members were fast diminishing; the new party led by John A. Macdonald; the Ministerialists; and the Clear Grits, who were described as composed of English Radicals, Republicans and annexationists. The Ministerialists had an overwhelming majority over all, but were disunited. What was the trouble? The

ministers might be a little slow, a little wanting in tact, a little less democratic than some of their followers. They were not traitors to the Reform cause, and intemperate attacks on them might be disastrous to that cause. A union of French-Canadians with Upper Canadian Conservatives would, it was prophesied, make the Reform party powerless. Though in later years George Brown became known as the chief opponent of French-Canadian influence, he was well aware of the value of the alliance, and he gave the French-Canadians full credit for their support to measures of reform. "Let the truth be known," said the *Globe* at this time, "to the French-Canadians of Lower Canada are the Reformers of Upper Canada indebted for the sweeping majorities which carried their best measures." He gave the government credit for an immense mass of useful legislation enacted in a very short period. But more remained to be done. The clergy reserves must be abolished, and all connection between Church and State swept away. "The party in power has no policy before the country. No one knows what measures are to be brought forward by the leaders. Each man fancies a policy for himself. The conductors of the public press must take ground on all the questions of the day, and each accordingly strikes out such a line as suits his own leanings, the palates of his readers, or what he deems for the good of the country. All sorts of vague schemes are thus thrown on the sea of public opinion to

agitate the waters, with the triple result of poisoning the public mind, producing unnecessary divisions, and committing sections of the party to views and principles which they might never have contemplated under a better system."

For some time the articles in the *Globe* did not pass the bounds of friendly, though outspoken, criticism. The events that drew Brown into opposition were his breach with the Roman Catholic Church, the campaign in Haldimand in which he was defeated by William Lyon Mackenzie, the retirement of Baldwin and the accession to power of the Hincks-Morin administration.

Towards the end of 1850 there arrived in Canada copies of a pastoral letter by Cardinal Wiseman, defending the famous papal bull which divided England into sees of the Roman Catholic Church, and gave territorial titles to the bishops. Sir E. P. Taché, a member of the government, showed one of these to Mr. Brown, and jocularly challenged him to publish it in the *Globe*. Brown accepted the challenge, declaring that he would also publish a reply, to be written by himself. The reply, which will be found in the *Globe* of December 19th, 1850, is argumentative in tone, and probably would not of itself have involved Brown in a violent quarrel with the Church. The following passage was afterwards cited by the *Globe* as defining its position: "In offering a few remarks upon Dr. Wiseman's production, we have no intention to discuss the tenets

of the Roman Catholic Church, but merely to look at the question in its secular aspect. As advocates of the voluntary principle we give to every man full liberty to worship as his conscience dictates, and without penalty, civil or ecclesiastical, attaching to his exercise thereof. We would allow each sect to give to its pastors what titles it sees fit, and to prescribe the extent of spiritual duties; but we would have the State recognize no ecclesiastical titles or boundaries whatever. The public may, from courtesy, award what titles they please; but the statute-book should recognize none. The voluntary principle is the great cure for such dissensions as now agitate Great Britain."

The cause of conflict lay outside the bounds of that article. Cardinal Wiseman's letter and Lord John Russell's reply had thrown England into a ferment of religious excitement. "Lord John Russell," says Justin McCarthy, "who had more than any man living been identified with the principles of religious liberty, who had sat at the feet of Fox and had for his closest friend the poet, Thomas Moore, came to be regarded by the Roman Catholics as the bitterest enemy of their creed and their rights of worship."

It is evident that this hatred of Russell was carried across the Atlantic, and that Brown was regarded as his ally. In the Haldimand election a hand-bill signed, "An Irish Roman Catholic" was circulated. It assailed Brown fiercely for the support

he had given to Russell, and for the general course of the *Globe* in regard to Catholic questions. Russell was described as attempting "to twine again around the writhing limbs of ten millions of Catholics the chains that our own O'Connell rescued us from in 1829." A vote for George Brown would help to rivet these spiritual chains round the souls of Irishmen, and to crush the religion for which Ireland had wept oceans of blood; those who voted for Brown would be prostrating themselves like cowardly slaves or beasts of burden before the avowed enemies of their country, their religion and their God. "You will think of the gibbets, the triangles, the lime-pits, the tortures, the hangings of the past. You will reflect on the struggles of the present against the new penal bill. You will look forward to the dangers, the triumphs, the hopes of the future, and then you will go to the polls and vote against George Brown."

This was not the only handicap with which Brown entered on his first election contest. There was no cordial sympathy between him and the government, yet he was hampered by his connection with the government. The dissatisfied Radicals rallied to the support of William Lyon Mackenzie, whose sufferings in exile also made a strong appeal to the hearts of Reformers, and Mackenzie was elected.

In his election address Brown declared himself for perfect religious equality, the separation of

Church and State, and the diversion of the clergy reserves from denominational to educational purposes. "I am in favour of national school education free from sectarian teaching, and available without charge to every child in the province. I desire to see efficient grammar schools established in each county, and that the fees of these institutions and of the national university should be placed on such a scale as will bring a high literary and scientific education within the reach of men of talent in any rank of life." He advocated free trade in the fullest sense, expressing the hope that the revenue from public lands and canals, with strict economy, would enable Canada "to dispense with the whole customs department."

Brown's estrangement from the government did not become an open rupture so long as Baldwin and Lafontaine were at the head of affairs. In the summer following Brown's defeat in Haldimand, Baldwin resigned owing to a resolution introduced by William Lyon Mackenzie, for the abolition of the Court of Chancery. The resolution was defeated, but obtained the votes of a majority of the Upper Canadian members, and Mr. Baldwin regarded their action as an indication of want of confidence in himself. He dropped some expressions, too, which indicated that he was moved by larger considerations. He was conservative in his views, and he regarded the Mackenzie vote as a sign of a flood of radicalism which he felt powerless to stay.

Shortly afterwards Lafontaine retired. He, also, was conservative in his temperament, and weary of public life. The passing of Baldwin and Lafontaine from the scene helped to clear the way for Mr. Brown to take his own course, and it was not long before the open breach occurred. When Mr. Hincks became premier, Mr. Brown judged that the time had come for him to speak out. He felt that he must make a fair start with the new government, and have a clear understanding at the outset. A new general election was approaching, and he thought that the issue of separation of Church and State must be clearly placed before the country. In an article in the *Globe* entitled "The Crisis," it was declared that the time for action had come. One parliament had been lost to the friends of religious equality; they could not afford to lose another. It was contended that the Upper Canadian Reformers suffered by their connection with the Lower Canadian party. Complaint was made that the Hon. E. P. Taché had advised Roman Catholics to make common cause with Anglicans in resisting the secularization of the clergy reserves, had described the advocates of secularization as "pharisaical brawlers," and had said that the Church of England need not fear their hostility, because the "contra-balancing power" of the Lower Canadians would be used to protect the Anglican Church. This, said the *Globe*, was a challenge which the friends of religious equality could not refuse. Later on, Mr.

LETTERS TO HINCKS

Brown wrote a series of letters to Mr. Hincks, setting forth fully his grounds of complaint against the government: failure to reform the representation of Upper Canada, slackness in dealing with the secularization of the clergy reserves, weakness in yielding to the demand for separate schools. All this he attributed to Roman Catholic or French-Canadian influence.

CHAPTER V

THE CLERGY RESERVES

THE clergy reserves were for many years a fruitful source of discontent and agitation in Canada. They had their origin in a provision of the Constitutional Act of 1791, that there should be reserved for the maintenance and support of a "Protestant clergy" in Upper and Lower Canada "a quantity of land equal in value to a seventh part of grants that had been made in the past or might be made in the future." It was provided also that rectories might be erected and endowed according to the establishment of the Church of England. The legislatures were to be allowed to vary or repeal these enactments, but such legislation was not to receive the royal assent before it had been laid before both Houses of the imperial parliament.

Did the words "Protestant clergy" apply to any other body than the Church of England? A vast amount of legal learning was expended on this question; but there can be little doubt that the intention to establish and endow the Church of England was thoroughly in accord with the ideas of colonial government prevailing from the conquest to the end of the eighteenth century. In the instructions to Murray and other early governors

there are constant injunctions for the support of a Protestant clergy and Protestant schools, "to the end that the Church of England may be established both in principles and practice."[1] Governor Simcoe, we are told, attached much importance to "every establishment of Church and State that upholds a distinction of ranks and lessens the undue weight of the democratic influence." "The episcopal system was interwoven and connected with the monarchical foundations of our government."[2] In pursuance of this idea, which was also that of the ruling class in Canada, the country was to be made as much unlike the United States as possible by the intrenchment of class and ecclesiastical privileges, and this was the policy pursued up to the time that responsible government was obtained. Those outside the dominant caste, in religion as in politics, were branded as rebels, annexationists, Yankees, republicans. And as this dominant caste, until the arrival of Lord Elgin, had the ear of the authorities at home, it is altogether likely that the Act of 1791 was framed in accordance with their views.

The law was unjust, improvident, and altogether unsuited to the circumstances of the colony. Lord Durham estimated that the members and adherents of the Church of England, allowing its largest claim, were not more than one-third, probably not

[1] Instructions to Governor Murray, *Canadian Archives of 1904*, p. 218.

[2] Professor Shortt in the *Canadian Magazine*, September, 1901.

more than one-fourth, of the population of Upper Canada. Methodists, Presbyterians, and Roman Catholics, each claimed a larger membership. He declared that the sanction given to the exclusive claims of the Church of England by Sir John Colborne's establishment of fifty-seven rectories, was, in the opinion of many persons, the chief predisposing cause of the rebellion, and it was an abiding and unabated cause of discontent.[1]

Not only was the spirit of the colony opposed to the establishment and domination of any Church, but settlement was retarded and the hardships of the settler increased by the locking up of enormous tracts of land. In addition to the clergy reserves, grants were made to officials, to militia men, to the children of United Empire Loyalists and others, in the hope that these persons would settle on the land. Many of these fell into the hands of speculators and jobbers, who bought farms of two hundred acres for prices ranging from a gallon of rum to £5. "The greater part of these grants," said Mr. Hawke, a government official whose evidence is given in the appendix to Durham's Report, "remain in an unimproved state. These blocks of wild land place the actual settler in an almost hopeless condition; he can hardly expect during his lifetime to see his neighbourhood contain a population sufficiently dense to support mills, schools, post-offices,

[1] Durham's *Report on the Affairs of British North America.* Methuen's reprint, pp. 125, 126.

places of worship, markets or shops, without which civilization retrogrades. Roads, under such circumstances, can neither be opened by the settlers nor kept in proper repair. In 1834 I met a settler from the township of Warwick, on the Caradoc Plains, returning from the grist mill at Westminster, with the flour and bran of thirteen bushels of wheat. He had a yoke of oxen and a horse attached to his wagon, and had been absent nine days and did not expect to reach home until the following evening. Light as his load was, he assured me that he had to unload, wholly or in part, several times, and after driving his wagon through the swamps, to pick out a road through the woods where the swamps or gullies were fordable, and to carry the bags on his back and replace them in the wagon."

It is unnecessary here to discuss differences of opinion as to the interpretation of the law, attempts to divide the endowment among various denominations, or other efforts at compromise. The radical wing of the Reform party demanded that the special provision for the support of the Church of England should be abolished, and a system of free popular education established. With this part of their platform Brown was heartily in accord; on this point he agreed with the Clear Grits that the Baldwin-Lafontaine government was moving too slowly, and when Baldwin was succeeded by Hincks in 1851, the restraining influence of his respect for Baldwin being removed, his discon-

tent was converted into open and determined opposition.

Largely by the influence of Brown and the *Globe*, public opinion in 1851 was aroused to a high degree, and meetings were held to advocate the secularization of the clergy reserves. The friends of the old order were singularly unfortunate in their mode of expressing their opinions. Opposition to responsible government was signalized by the burning of the parliament buildings, and the mobbing of Lord Elgin in Montreal. Opposition to religious equality was signalized by the mobbing of an orderly assembly in Toronto. One meeting of the opponents of the clergy reserves was broken up by these means, and a second meeting was attacked by a mob with such violence as to necessitate the calling out of a company of British soldiers. This meeting was held in St. Lawrence Hall, over the city market bearing that name. Mr. Brown was chosen to move a resolution denouncing State endowments of religion, and did so in a speech of earnestness and argumentative power. He compared the results of Church establishments with those of voluntary effort in England, in Scotland, in France, and in Canada, and denounced "State-churchism" as the author of pride, intolerance and spiritual coldness. "When," he said, "I read the history of the human race, and trace the dark record of wars and carnage, of tyranny, robbery and injustice in every shape, which have been the fruits of State-churchism in every

age; when I observe the degenerating effect which it has ever had on the purity and simplicity of the Gospel of Christ, turning men's minds from its great truths, as a religion of the heart, to the mere outward tinsel, to the forms and ceremonies on which priestcraft flourishes; when I see that at all times it has been made the instrument of the rich and powerful in oppressing the poor and weak, I cannot but reject it utterly as in direct hostility to the whole spirit of the Gospel, to that glorious system which teaches men to set not their hearts on this world, and to walk humbly before God." He held that it was utterly impossible for the State to teach religious truth. "There is no standard for truth. We cannot even agree on the meaning of words." Setting aside the injustice of forcing men to pay money for the support of what they deemed religious error, it was "most dangerous to admit that the magistrate is to decide for God—for that is the plain meaning of the establishment principle. Once admit that principle, and no curb can be set upon its operation. Who shall restrict what God has appointed? And thus the extent to which the conscience of men may be constrained, or persecution for truth's sake may be carried, depends entirely on the ignorance or enlightenment of the civil magistrate. There is no safety out of the principle that religion is a matter entirely between man and his God, and that the whole duty of the magistrate is to secure every one in the peaceful obser-

vance of it. Anything else leads to oppression and injustice, but this can never lead to either."

A notable part of the speech was a defence of free, non-sectarian education. "I can conceive," he said, "nothing more unprincipled than a scheme to array the youth of the province in sectarian bands —to teach them, from the cradle up, to know each other as Methodist boys, and Presbyterian boys, and Episcopal boys. Surely, surely, we have enough of this most wretched sectarianism in our churches without carrying it further."

To protect themselves from interruption, the advocates of secularization had taken advantage of a law which allowed them to declare their meeting as private, and exclude disturbers. Their opponents held another meeting in the adjoining market-place where by resolution they expressed indignation at the repeated attempts of "a Godless association" to stir up religious strife, and declared that the purposes of the association, if carried out, would bring about not only the severance of British connection, but socialism, republicanism, and infidelity. The horrified listeners were told how Rousseau and Voltaire had corrupted France, how religion was overthrown and the naked Goddess of Reason set up as an object of worship. They were told that the clergy reserves were a gift to the nation from "our good King George the Third." Abolish them and the British flag would refuse to float over anarchy and confusion. Finally, they were assured that

they could thrash the St. Lawrence Hall audience in a stand-up fight, but were nevertheless advised to go quietly home. This advice was apparently accepted in the spirit of the admonition: "Don't nail his ears to the pump," for the crowd immediately marched to St. Lawrence Hall, cheering, groaning, and shouting. They were met by the mayor, two aldermen, and the chief constable, and told that they could not be admitted. Stones and bricks were thrown through the windows of the hall. The Riot Act was read by an alderman, and the British regiment then quartered in the town, the 71st, was sent for. There was considerable delay in bringing the troops, and in the meantime there was great disorder; persons leaving the hall were assaulted, and the mayor was struck in the face with a stone and severely cut. A company of the 71st arrived at midnight, after which the violence of the mob abated.[1]

The steps leading up to the settlement of the question may be briefly referred to. In 1850 the Canadian parliament had asked for power to dispose of the reserves, with the understanding that emoluments derived by existing incumbents should be guaranteed during their lives. The address having been forwarded to England, Lord John Russell informed the governor-general that a bill would be introduced in compliance with the wish of the Canadian parliament. But in 1852 the Russell

[1] The *Globe*, July, 1851.

government resigned, and was succeeded by that of the Earl of Derby. Derby (Lord Stanley) had been colonial secretary in the Peel government, which had shown a strong bias against Canadian self-government. Sir John Pakington declared that the advisers of Her Majesty were not inclined to aid in the diversion to other purposes of the only public fund for the support of divine worship and religious instruction in Canada, though they would entertain proposals for new dispositions of the fund. Hincks, who was then in England, protested vigorously against the disregard of the wishes of the Canadian people. When the legislature assembled in 1852, it carried, at his instance, an address to the Crown strongly upholding the Canadian demand. Brown contended that the language was too strong and the action too weak. He made a counter proposal, which found little support, that the Canadian parliament itself enact a measure providing for the sale of the clergy lands to actual settlers, and the appropriation of the funds for the maintenance of common schools.

With the fall of the Derby administration in England, ended the opposition from that source to the Canadian demands. But Hincks, who had firmly vindicated the right of the Canadian parliament to legislate on the matter, now hesitated to use the power placed in his hands, and declared that legislation should be deferred until a new parliament had been chosen. The result was that the

work of framing the measure of settlement fell into the hands of John A. Macdonald, the rising star of the Conservative party. The fund, after provision had been made for the vested rights of incumbents, was turned over to the municipalities.

CHAPTER VI

BROWN'S FIRST PARLIAMENT

IN the autumn of 1851 parliament was dissolved, and in September Mr. Brown received a requisition from the Reformers of Kent to stand as their candidate, one of the signatures being that of Alexander Mackenzie, afterwards premier of Canada. In accepting the nomination he said that he anticipated that he would be attacked as an enemy of the Roman Catholic Church; that he cordially adhered to the principles of the Protestant reformation; that he objected to the Roman Catholic Church trenching on the civil rights of the community, but that he would be ashamed to advocate any principle or measure which would restrict the liberty of any man, or deprive him on account of his faith of any right or advantage enjoyed by his fellow-subjects. In his election address he advocated religious equality, the entire separation of Church and State, the secularization of the clergy reserves, the proceeds to go to national schools, which were thus to be made free. He advocated, also, the building of a railway from Quebec to Windsor and Sarnia, the improvement of the canals and waterways, reciprocity with the Maritime Provinces and the United States, a commission for the

reform of law procedure, the extension of the franchise and the reform of representation. Representation by population afterwards came to be the watchword of those who demanded that Upper Canada should have a larger representation than Lower Canada; but as yet this question had not arisen definitely. The population of Upper Canada was nearly doubled between 1842 and 1851, but it did not appear until 1852 that it had passed the lower province in population.

The advocacy of free schools was an important part of the platform. During the month of January, 1852, the *Globe* contained frequent articles, reports of public meetings, and letters on the subject. It was contended by some of the opponents of free schools that the poor could obtain free education by pleading their poverty; but the *Globe* replied that education should not be a matter of charity, but should be regarded as a right, like the use of pavements. The matter was made an issue in the election of school trustees in several places, and in the Toronto election the advocates of free schools were successful.

It will be convenient to note here that Brown's views on higher education corresponded with his views on public schools. In each case he opposed sectarian control, on the ground that it would dissipate the energies of the people, and divide among half a dozen sects the money which might maintain one efficient system. These views were fully set

forth in a speech made on February 25th, 1853, upon a bill introduced by Mr. Hincks to amend the law relating to the University of Toronto. Brown denounced the measure as a surrender to the sectaries. There were two distinct ideas, he said, in regard to higher education in Upper Canada. One was that a university must be connected with a Church and under the management of the clergy, without whose control infidelity would prevail. The Reform party, led by Mr. Baldwin and Mr. Hincks, had denounced these views as the mere clap-trap of priestcraft. They held that there should be one great literary and scientific institution, to which all Canadians might resort on equal terms. This position was founded, not on contempt for religion, but on respect for religion, liberty, and conscience. "To no one principle does the Liberal party owe so many triumphs as to that of non-sectarian university education." Until 1843 Anglican control prevailed; then various unsuccessful efforts at compromise were made, and finally, in 1849, after twenty years of agitation, the desire of the Liberal party was fulfilled, and a noble institute of learning established. This act alone would have entitled Robert Baldwin to the lasting gratitude of his countrymen.

Continuing, Brown said that the Hincks bill was reactionary—that the original draft even contained a reference to the godless character of the institution—that the plan would fritter away the endow-

ment by dividing it among sects and among localities. He opposed the abolition of the faculties of law and medicine. Rightly directed, the study of law was ennobling, and jurists should receive an education which would give them broad and generous views of the principles of justice. The endowment of the university ought to be sufficient to attract eminent teachers, and to encourage students by scholarships. "We are laying the foundations of a great political and social system. Our vote today may deeply affect, for good or evil, the future of the country. I adjure the House to pause ere destroying an institution which may one day be among the chief glories of a great and wise people."

Brown was elected by a good majority. The general result of the election was favourable to the Hincks-Morin administration. A large part of the interval between the election and the first session of the new parliament was spent by Mr. Hincks in England, where he made some progress in the settlement of the clergy reserve question, and where he also made arrangements for the building of the Grand Trunk Railway from Montreal westward through Upper Canada. Negotiations for the building of the Intercolonial Railway, connecting Lower Canada with the Maritime Provinces, fell through, and the enterprise was delayed for some years.

It was a matter of some importance that the first parliament in which Mr. Brown took part was held

in the city of Quebec. He had entered on a course which made Catholics and French-Canadians regard him as their enemy, and in Quebec French and Catholic influence was dominant. Brown felt keenly the hostility of his surroundings, and there are frequent references in his speeches and in the correspondence of the *Globe* to the unfriendly faces in the gallery of the chamber, and to the social power exercised by the Church. "Nothing," says the Hon. James Young, "could exceed the courage and eloquence with which Brown stood up night after night, demanding justice for Upper Canada in the face of a hostile majority on the floor of the chamber and still more hostile auditors in the galleries above. So high, indeed, did public feeling run on some occasions that fears were entertained for his personal safety, and his friends occasionally insisted after late and exciting debates, lasting often till long after midnight, on accompanying him."[1] Mr. Young adds that these fears were not shared by Mr. Brown, and that they proved to be groundless. Mr. Brown, in fact, did not regard the Quebec influence as a personal grievance, but he argued that on public grounds the legislature ought not to meet in a city where freedom of speech might be impaired by local sentiment. That he harboured no malice was very finely shown when parliament met four years afterwards in Toronto. He had just concluded a powerful speech. The galleries were

[1] Young's *Public Men and Public Life in Canada*, p. 83.

crowded, this time with a friendly audience, which at length broke into applause. Brown checked the demonstration. "I have addressed none," he said, "but members of this House, and trust that members from Lower Canada will not be overawed by any manifestation of feeling in this chamber. I shall be ready on all occasions to discourage it. In Lower Canada I stood almost alone in supporting my views, and I well know how painful these manifestations are to a stranger in a strange place. I do sincerely trust that gentlemen of French origin will feel as free to speak here as if they were in Quebec."

Brown made his maiden speech during the debate on the address. It is described in a contemporary account as "a terrible onslaught on the government." An idea of violence conveyed in this and other comments would appear to have been derived from the extreme energy of Brown's gestures. The printed report of the speech does not give that impression. Though severe, it was in the main historical and argumentative. It contained a review of the political history of Canada from the time of the rupture between Metcalfe and his ministers, up to the time when the principle of responsible government was conceded. Brown argued that Reformers were bound to stand by that principle, and to accept all its obligations. In his judgment it was essential to the right working of responsible government that parties should declare

their principles clearly and stand or fall by them. If they held one set of principles out of office and another set in office they would reduce responsible government to a farce. He acknowledged the services which Hincks and Morin had rendered in fighting for responsible government; but he charged them with betraying that principle by their own conduct in office. Two systems of government, he said, were being tested on this continent. The American system contained checks and balances. The British system could be carried on only by the observance of certain unwritten laws, and especially a strict good faith and adherence to principle. Brown, as a party man, adhered firmly to Burke's definition of party: "A body of men united for promoting by their joint endeavours the national interest, upon some particular principle on which they are all agreed." Office-holding, with him, was a minor consideration. "There is no theory in the principle of responsible government more vital to its right working than that parties shall take their stand on the prominent questions of the day, and mount to office or resign it through the success or failure of principles to which they are attached. This is the great safeguard for the public against clap-trap professions."

CHAPTER VII

RISE OF BROWN'S INFLUENCE

THE condition of parties in the legislature was peculiar. The most formidable antagonist of the Reform government was the man who was rapidly rising to the leadership of the Reform party. The old Tory party was dead, and its leader, Sir Allan MacNab, was almost inactive. Macdonald, who was to re-organize and lead the new Conservative party, was playing a waiting game, taking advantage of Brown's tremendous blows at the ministry, and for the time being satisfied with a less prominent part in the conflict. Brown rapidly rose to a commanding position in the assembly. He did this without any *finesse* or skill in the management of men, with scarcely any assistance, and almost entirely by his own energy and force of conviction. His industry and capacity for work were prodigious. He spoke frequently, and on a wide range of subjects requiring careful study and mastery of facts. In the divisions he obtained little support. He had antagonized the French-Canadians, the Clear Grits of Upper Canada were for the time determined to stand by the government, and his views were usually not such as the Conservatives could endorse, although they

occasionally followed him in order to embarrass the government.

Brown's course in parliament, however, was pointing to a far more important result than changes in the personnel of office-holders. Hincks once told him that the logical conclusion of that course was the dissolution of the union. There was a measure of truth in this. If he had said dissolution or modification, he would have been absolutely right. Between the ideas of Upper Canada and Lower Canada there was a difference so great that a legislative union was foredoomed to failure, and separation could be avoided only by a federation which allowed each community to take its own way. Brown did not create these difficulties, but he emphasized them, and so forced and hastened the application of the remedy. Up to the time of his entering parliament, his policy had related mainly to Upper Canada. In parliament, however, a mass of legislation emanating from Lower Canada aroused his strong opposition. In the main it was ecclesiastical legislation incorporating Roman Catholic institutions, giving them power to hold lands, to control education, and otherwise to strengthen the authority of the Church over the people. It is not necessary to discuss these measures in detail. The object is to arrive at Brown's point of view, and it was this: That the seat of government was a Catholic city, and that legislation and administration were largely controlled by the French-Cana-

dian priesthood. He complained that Upper Canada was unfairly treated in regard to legislation and expenditure; that its public opinion was disregarded, and that it was not fairly represented. The question of representation steadily assumed more importance in his mind, and he finally came to the conclusion that representation by population was the true remedy for all the grievances of which he complained. Lower Canada, being now numerically the weaker, naturally clung to the system which gave it equality of representation.

In all these matters the breach between George Brown and the Lower Canadian representatives was widening, while he was becoming more and more the voice of Upper Canadian opinion. When, in the intervals between parliamentary sessions, he visited various places in Upper Canada, he found himself the most popular man in the community. He addressed great public meetings. Banquets were given in his honour. The prominent part taken by ministers of the Gospel at these gatherings illustrates at once the weakness and the strength of his position. He satisfied the "Nonconformist conscience" of Upper Canada by his advocacy not only of religious equality but of the prohibition of the liquor traffic and of the cessation of Sunday labour by public servants. But this very attitude made it difficult for him to work with any political party in Lower Canada.

In 1853 there was a remarkable article in the

Cobourg *Star*, a Conservative journal, illustrating the hold which Brown had obtained upon Upper Canadian sentiment. This attitude was called forth by a banquet given to Brown by the Reformers of the neighbourhood. It expressed regret that the honour was given on party grounds. "Had it been given on the ground of his services to Protestantism, it would have brought out every Orangeman in the country. Conservatives disagreed with Brown about the clergy reserves, but if the reserves must be secularized, every Conservative in Canada would join Brown in his crusade against Roman Catholic endowments." Then follows this estimate of Brown's character: "In George Brown we see no agitator or demagogue, but the strivings of common sense, a sober will to attain the useful, the practical and the needful. He has patient courage, stubborn endurance, and obstinate resistance, and desperate daring in attacking what he believes to be wrong and in defending what he believes to be right. There is no cant or parade or tinsel or clap-trap about him. He takes his stand against open, palpable, tangible wrongs, against the tyranny which violates men's roofs, and the intolerance which vexes their consciences. True, he is wrong on the reserves question, but then he is honest, we know where to find him. He does not, like some of our Reformers, give us to understand that he will support us and then turn his back. He does not slip the word of promise to the ear and then

break it to the lips. Leaving the reserves out of the question, George Brown is eminently conservative in his spirit. His leading principle, as all his writings will show, is to reconcile progress with preservation, change with stability, the alteration of incidents with the maintenance of essentials. Change, for the sake of change, agitation for vanity, for applause or mischief, he has contemptuously repudiated. He is not like the Clear Grit, a republican of the first water, but on the contrary looks to the connection with the mother country, not as fable or unreality or fleeting vision, but as alike our interest and our duty, as that which should ever be our beacon, our guide and our goal."

In 1853 the relative strength of Brown and the ministers was tested in a series of demonstrations held throughout Canada. The Hon. James Young gives a vivid description of Brown as he appeared at a banquet given in his honour at Galt: "He was a striking figure. Standing fully six feet two inches high, with a well-proportioned body, well balanced head and handsome face, his appearance not only indicated much mental and physical strength, but conveyed in a marked manner an impression of youthfulness and candour. These impressions deepened as his address proceeded, and his features grew animated and were lighted up by his fine expressive eyes." His voice was strong and soft, with a well-marked Edinburgh accent. His appearance surprised the people who had expected to see an older

and sterner-looking man. His first remarks were disappointing; as was usual with him he stammered and hesitated until he warmed to his subject, when he spoke with such an array of facts and figures, such earnestness and enthusiasm, that he easily held the audience for three hours.[1]

On October 1st, 1853, the *Globe* was first issued as a daily. It was then stated that the paper was first published as a weekly paper with a circulation of three hundred. On November 1st, 1846, it was published twice a week with a circulation of two thousand, which rose to a figure between three thousand and four thousand. In July, 1849, it was issued three times a week. When the daily paper was first published the circulation was six thousand. To anticipate a little, it may be said that in 1855 the *Globe* absorbed the *North American* and the *Examiner*, and the combined circulation was said to be sixteen thousand four hundred and thirty-six. The first daily paper contained a declaration of principles, including the entire separation of Church and State, the abolition of the clergy reserves and the restoration of the lands to the public, cessation of grants of public money for sectarian purposes, the abolition of tithes and other compulsory taxation for ecclesiastical purposes, and restraint on land-holding by ecclesiastical corporations.

An extract from this statement of policy may be given:

[1] Young, *op. cit.*, pp. 58, 59.

"Representation by population. Justice for Upper Canada! While Upper Canada has a larger population by one hundred and fifty thousand than Lower Canada, and contributes more than double the amount of taxation to the general revenue, Lower Canada has an equal number of representatives in parliament.

"National education.—Common school, grammar school, and collegiate free from sectarianism and open to all on equal terms. Earnest war will be waged with the separate school system, which has unfortunately obtained a footing.

"A prohibitory liquor law.—Any measure which will alleviate the frightful evils of intemperance."

The inclusion of prohibition on this platform was the natural result of the drinking habits of that day. In a pamphlet issued by the Canada Company for the information of intending immigrants, whiskey was described as "a cheap and wholesome beverage." Its cheapness and abundance caused it to be used in somewhat the same way as the "small beer" of England, and it was a common practice to order a jug from the grocer along with the food supply of the family. When a motion favouring prohibition was introduced in the Canadian parliament there were frequent references to the convivial habits of the members. The seconder of the motion was greeted with loud laughter. He good-naturedly said that he was well aware of the cause of hilarity, but that he was ready to sacrifice his

pleasure to the general good. Sir Allan MacNab, the leader of the Opposition, moved a farcical amendment, under which every member was to sign a pledge of abstinence, and to be disqualified if he broke it. Brown made an earnest speech in favour of the motion, in which he remarked that Canada then contained nine hundred and thirty-one whiskey shops, fifty-eight steamboat bars, three thousand four hundred and thirty taverns, one hundred and thirty breweries, and one hundred and thirty-five distilleries.

The marked diminution of intemperance in the last fifty years may be attributed in part to restrictive laws, and in part to the work of the temperance societies, which rivalled the taverns in social attractions, and were effective agents of moral suasion.

CHAPTER VIII

RECONSTRUCTION OF PARTIES

IN June, 1854, the Hincks-Morin government was defeated in the legislature on a vote of censure for delay in dealing with the question of the clergy reserves. A combination of Tories and Radicals deprived Hincks of all but five of his Upper Canadian supporters. Parliament was immediately dissolved, and the ensuing election was a *mêlée* in which Hincks Reformers, Brown Reformers, Tories and Clear Grits were mingled in confusion. Brown was returned for Lambton, where he defeated the Hon. Malcolm Cameron, postmaster-general under Hincks. The Reform party was in a large majority in the new legislature, and if united could have controlled it with ease. But the internal quarrel was irreconcilable. Hincks was defeated by a combination of Tories and dissatisfied Reformers, and a general reconstruction of parties followed. Sir Allan MacNab, as leader of the Conservative opposition, formed an alliance with the French-Canadian members of the Hincks government and with some of its Upper Canadian supporters. Hincks retired, but gave his support to the new combination, "being of opinion that the combination of parties by which the new govern-

ment was supported presented the only solution of the difficulties caused by a coalition of parties holding no sentiments in common, a coalition which rarely takes place in England. I deemed it my duty to give my support to that government during the short period that I continued in public life." [1]

Whether the MacNab-Morin government was a true coalition or a Tory combination under that name was a question fiercely debated at that time. It certainly did not stand for the Toryism that had resisted responsible government, the secularization of the clergy reserves, and the participation of French-Canadians in the government of the country. It had at first some of the elements of a coalition, but it gradually came to represent Conservatism and the personal ascendency of John A. Macdonald. Robert Baldwin, from his retirement, gave his approval to the combination, and hence arose the "Baldwin Reformer," blessed as a convert by one party, and cursed as a renegade by the other.

Reconstruction on one side was followed by reconstruction on the other. Upper Canadian Reformers rallied round Brown, and an alliance was formed with the Quebec Rouges. This was a natural alliance of radical Reformers in both provinces. Some light is thrown on it by an article published in the *Globe* in 1855. The writer said that in 1849, some young men of Montreal, fresh from the schools and

[1] Hincks's *Political History of Canada*, p. 80.

filled to the brim with the Republican opinions which had spread from France throughout all Europe, formed associations and established newspapers advocating extreme political views. They declaimed in favour of liberty and against priestcraft and tyranny with all the ardour and freshness of youth. Their talents and the evident purity and sincerity of their motives made a strong impression on their countrymen, contrasting as they did with the selfishness and mediocrity of other French-Canadian leaders, and the result was that the Rouge party was growing in strength both in the House and in the country. With the growth of strength there had come a growing sense of responsibility, greater moderation and prudence. In the legislature, at least, the Rouges had not expressed a single sentiment on general politics to which a British constitutional Reformer might not assent. They were the true allies of the Upper Canadian Reformers, and in fact the only Liberals among the French-Canadians. They had Reform principles, they maintained a high standard of political morality. They stood for the advance of education and for liberty of speech. They were the hope of Canada, and their attitude gave promise that a brighter day was about to dawn on the political horizon.

It was unreasonable to expect that the Liberals could continue to receive that solid support from Lower Canada which they had received in the days of the Baldwin-Lafontaine alliance. In those days the

issue was whether French-Canadians should be allowed to take part in the government of the country, or should be excluded as rebels. The Reformers championed their cause and received the solid support of the French-Canadian people. But when once the principle for which they contested was conceded, it was perceived that Lower Canada, like Upper Canada, had its Conservative element, and party lines were formed. Mr. Brown held that there could be no lasting alliance between Upper Canadian Reformers and Lower Canadian Conservatives, and especially with those Lower Canadians who defended the power and privileges of the Church. He was perfectly willing that electors holding these views should go to the Conservative party, which was their proper place. The Rouges could not bring to the Liberal party the numerical strength of the supporters of Lafontaine, but as they really held Liberal principles, the alliance was solidly based and was more likely to endure.

The leader of the Rouges was A. A. Dorion, a distinguished advocate, and a man of culture, refinement and eloquence. He was Brown's deskmate, and while in physique and manner the two were strongly contrasted, they were drawn together by the chivalry and devotion to principle which characterized both, and they formed a strong friendship. "For four years," said Mr. Brown, in a public address, "I acted with him in the ranks of the Opposition, learned to value most highly the upright-

ness of his character, the liberality of his opinions, and the firmness of his convictions. On most questions of public general policy we heartily agreed, and regularly voted together; on the questions that divided all Upper Canadians and all Lower Canadians alone we differed, and on these we had held many earnest consultations from year to year with a view to their removal, without arriving at the conviction that when we had the opportunity we could find the mode." Their habit was not to attempt to conceal these sectional differences, but to recognize them frankly with a view to finding the remedy. It was rarely that either presented a resolution to the House without asking the advice of the other. They knew each other's views perfectly, and on many questions, especially of commerce and finance, they were in perfect accord.

By this process of evolution Liberals and Conservatives were restored to their proper and historic places, and the way was cleared for new issues. These issues arose out of the ill-advised attempt to join Upper and Lower Canada in a legislative union. A large part of the history of this period is the history of an attempt to escape the consequences of that blunder. This was the reason why every ministry had its double name—the Lafontaine-Baldwin, the Hincks-Morin, the Taché-Macdonald, the Brown-Dorion, the Macdonald-Sicotte. This was the reason why every ministry had its attorney-general east for Lower Canada and its attorney-

general west for Upper Canada. In his speech on confederation Sir John Macdonald said that although the union was legislative in name, it was federal in fact—that in matters affecting Upper Canada alone, Upper Canadian members claimed and usually exercised, exclusive power, and so with Lower Canada. The consolidated statutes of Canada and the consolidated statutes of Upper Canada must be sought in separate volumes. The practice of legislating for one province alone was not confined to local or private matters. For instance, as the two communities had widely different ideas as to Sabbath observance, the stricter law was enacted for Upper Canada alone. Hence also arose the theory of the double majority—that a ministry must, for the support of its general policy, have a majority from each province.

But all these shifts and devices could not stay the agitation for a radical remedy. Some Reformers proposed to dissolve the union. Brown believed that the difficulty would be solved by representation by population, concerning which a word of explanation is necessary. When the provinces were united in 1841, the population of Lower Canada exceeded that of Upper Canada in the proportion of three to two. "If," said Lord Durham, "the population of Upper Canada is rightly estimated at four hundred thousand, the English inhabitants of Lower Canada at one hundred and fifty thousand, and the French at four hundred and fifty thousand, the union of the

two provinces would not only give a clear English majority, but one which would be increased every year by the influence of English emigration, and I have little doubt that the French, when once placed by the legitimate course of events in a minority, would abandon their vain hopes of nationality." But he added that he was averse to every plan that had been proposed for giving an equal number of members to the two provinces. The object could be attained without any violation of the principles of representation, such as would antagonize public opinion, and "when emigration shall have increased the English population of the Upper Province, the adoption of such a principle would operate to defeat the very purpose it is intended to serve. It appears to me that any such electoral arrangement, founded on the present provincial divisions, would tend to defeat the purpose of union and perpetuate the idea of disunion."

Counsels less wise and just prevailed, and the united province was "gerrymandered" against Lord Durham's protest. Lower Canada complained of the injustice, and with good reason. In the course of time Lord Durham's prediction was fulfilled; by immigration the population of Upper Canada overtook and passed that of Lower Canada. The census of 1852 gave Upper Canada a population of nine hundred and fifty-two thousand, and Lower Canada a population of eight hundred and ninety thousand two hundred and sixty-one. Brown began to press

for representation by population. He was met by two objections. It was argued on behalf of the French-Canadians that they had submitted to the injustice while they had the larger population, and that the Upper Canadians ought to follow their example. Mr. Brown admitted the force of this argument, but he met it by showing that the Lower Canadians had been under-represented for eight years, and that by the time the new representation went into force, the Upper Canadians would have suffered injustice for about an equal term, so that a balance might be struck. A more formidable objection was raised by Mr. Hincks, who said that the union was in the nature of a compact between two nations having widely different institutions; that the basis of the compact was equal representation, and that Brown's proposition would destroy that basis. Cartier said that representation by population could not be had without repeal of the union. The French-Canadians were afraid that they would be swamped, and would be obliged to accept the laws and institutions of the majority.

It is impossible to deny the force of these objections. In 1841 Lower Canada had been compelled to join a union in which the voting power of Upper Canada was arbitrarily increased. If this was due to distrust, to fear of "French domination," French-Canadians could not be blamed for showing an equal distrust of English domination, and for refusing to give up the barrier which, as they believed,

protected their peculiar institutions. Ultimately the solution was found in the application of the federal system, giving unity in matters requiring common action, and freedom to differ in matters of local concern. Towards this solution events were tending, and the importance of Brown's agitation for representation by population, which gained immense force in Upper Canada, lies in its relation to the larger plan of confederation.

CHAPTER IX

SOME PERSONAL POLITICS

AFTER the burning of the parliament buildings in Montreal the seat of government oscillated between Quebec and Toronto. Toronto's turn came in the session of 1856. Macdonald was now the virtual, and was on the point of becoming the titular, leader of the party. Brown was equally conspicuous on the other side. During the debate on the address he was the central figure in a fierce struggle, and some one with a turn for statistics said that his name was mentioned three hundred and seventy-two times. The air was stimulating, and Brown's contribution to the debate was not of a character to turn away wrath.

Smarting under Brown's attack, Macdonald suddenly gave a new turn to the debate. He charged that Brown, while acting as a member and secretary of a commission appointed by the Lafontaine-Baldwin government to inquire into the condition of the provincial penitentiary, had falsified testimony, suborned convicts to commit perjury, and obtained the pardon of murderers to induce them to give false evidence. Though the assembly had by this time become accustomed to hard hitting, this outbreak created a sensation. Brown gave an indig-

nant denial to the charges, and announced that he would move for a committee of inquiry. He was angrily interrupted by the solicitor-general, who flung the lie across the House. The solicitor-general was a son of the warden of the penitentiary who had been dismissed in consequence of the report of the commission. Macdonald was a strong personal friend of the warden, and had attempted some years before to bring his case before the assembly. Brown promptly moved for the committee, and it was not long before he presented that tribunal with a dramatic surprise. It was supposed that the report of the penitentiary committee had been burned, and the attack on Brown was made upon that supposition. When Mr. Brown was called as a witness, however, he produced the original report with all the evidence, and declared that it had never been out of his possession "for one hour." The effect of this disclosure on his assailants is shown in a letter addressed to the committee by VanKoughnet, Macdonald's counsel: "Mr. Macdonald," he said, "had been getting up his case on the assumption and belief that these minutes had been destroyed and could not be procured, and much of the labour he had been allowed to go to by Mr. Brown for that purpose would now be thrown away; the whole manner of giving evidence, etc., would now be altered."

The graver charges of subornation of perjury etc., were abandoned, and Macdonald's friends con-

fined themselves to an attempt to prove that the inquiry had been unfairly conducted, that the warden had been harshly treated, and the testimony not fairly reported. It was a political committee with a Conservative majority, and the majority, giving up all hope of injuring Brown, bent its energies to saving Macdonald from the consequences of his reckless violence. The Liberal members asked for a complete exoneration of Mr. Brown. A supporter of the government was willing to exonerate Brown if Macdonald were allowed to escape without censure. A majority of the committee, however, took refuge in a rambling deliverance, which was sharply attacked in the legislature. Sir Allan MacNab bluntly declared that the charge had been completely disproved, and that the committee ought to have had the manliness to say so. Drummond, a member of the government, also said that the attack had failed. The accusers were willing to allow the matter to drop, and as a matter of fact the report was never put to a vote. But Mr. Brown would not allow them to escape so easily. Near the close of the session he made a speech which gave a new character to the discussion. Up to this time it had been a personal question between Brown and his assailants. Brown dealt with this aspect of the matter briefly but forcibly. He declared that not only his conduct but the character of the other commissioners was fully vindicated, and that a conspiracy to drive him from

public life had signally failed. Conservative members had met him and admitted that there was no truth in the charges, but had pleaded that they must go with the party. Members had actually been asked to "pair" off on the question of upholding or destroying his character, before they had heard his defence.

From these personal matters he returned to the abuses that had been discovered by the commission. A terrible story of neglect and cruelty was told. These charges did not rest on the testimony of prisoners. They were sustained by the evidence of officers and by the records of the institution. "If," said the speaker, "every word of the witnesses called by the commissioners were struck out, and the case left to rest on the testimony of the warden's own witnesses and the official records of the prison, there would be sufficient to establish the blackest record of wickedness that ever disgraced a civilized country." Amid applause, expressions of amazement and cries of "Shame!" from the galleries, Brown told of the abuses laid bare by the prison commission. He told of prisoners fed with rotten meal and bread infested with maggots; of children beaten with cat and rawhide for childish faults; of a coffin-shaped box in which men and even women were made to stand or rather crouch, their limbs cramped, and their lungs scantily supplied with air from a few holes. Brown's speech virtually closed the case, although Macdonald strove

to prove that the accounts of outrages were exaggerated, that the warden, Smith, was himself a kind-hearted man, and that he had been harshly treated by the commissioners.

In a letter written about this time, Macdonald said that he was carrying on a war against Brown, that he would prove him a most dishonest, dishonourable fellow, "and in doing so I will only pay him a debt that I owe him for abusing me for months together in his newspaper."[1] Whatever the provocation may have been, the personal relations of the two men were further embittered by this incident.

Eight years afterwards they were members of the coalition ministry by which confederation was brought about, and Brown's intimate friend, Alexander Mackenzie, says that the association was most distasteful to Brown, on account of the charges made in connection with the prison commission. That the leaders of the two parties were not merely political opponents but personal enemies must have embittered the party struggle; and it was certainly waged on both sides with fury, and with little regard either for the amenities of life or for fair play.

His work on the commission gave Brown a strong interest in prison reform. While the work of the commission was fresh in his mind he delivered an address in the Toronto Mechanics' Institute, in

[1] Pope's *Memoirs of Sir John Macdonald*, p. 161.

which he sketched the history of prison reform in England and the United States, and pointed out how backward Canada was in this phase of civilization. He pleaded for a more charitable treatment of those on whom the prison doors had closed. There were inmates of prisons who would stand guiltless in the presence of Him who searches the heart. There were guilty ones outside. We cannot, he said, expect human justice to be infallible; but we must not draw a hard and fast line between the world inside the prison and the world outside, as if the courts of justice had the divine power of judging between good and evil. In Canada, he said, we have no system of reforming the prisoner; even the chaplain or the teacher never enters the prison walls. "Children of eight and ten years of age are placed in our gaols, surrounded by hundreds of the worst criminals in the province." He went on to describe some of the evils of herding together hardened criminals, children, and persons charged with trifling offences. He advocated government inspection of prisons, a uniform system of discipline, strict classification and separation, secular and religious instruction, and the teaching of trades. The prisoner should be punished, but not made to feel that he was being degraded by society for the sake of revenge. Hope should be held out to those who showed repentance. The use of the lash for trifling offences against discipline was condemned. On the whole, his views were such as are

now generally accepted, and he may be regarded as one of the pioneers of prison reform in Canada.

The habit of personal attack was further illustrated in the charge, frequently made by Mr. Brown's enemies, that he had been a defaulter in Scotland. The *North American* had printed this accusation during its fierce altercation with the *Globe*, but the editor, Mr. Macdougall, had afterwards apologized, and explained that it had crept into the paper during his absence and without his knowledge. In the session of 1858, a Mr. Powell, member for Carleton, renewed the attack in the House, and Mr. Brown made a reply of such compelling human interest that not a word can be added or taken away. He said: "This is not the first time that the insinuation has been made that I was a defaulter in my native city. It has been echoed before now from the organs of the ministry, and at many an election contest have I been compelled to sit patiently and hear the tale recounted in the ears of assembled hundreds. For fifteen years I have been compelled to bear in silence these imputations. I would that I could yet refrain from the painful theme, but the pointed and public manner in which the charge has now been made, and the fear that the public cause with which I am identified might suffer by my silence, alike tell me that the moment has come when I ought to explain the transaction, as I have always been able to explain it, and to cast back the vile charge of dis-

honesty on those who dared to make it. That my father was a merchant in the city of Edinburgh, and that he engaged in disastrous business speculations commencing in the inflated times of 1825 and 1826, terminating ten years afterwards in his failure, is undoubtedly true. And it is, unhappily, also true, that he did hold a public office, and that funds connected with that office were, at the moment of his sequestration, mixed up with his private funds, to the extent, I believe, of two thousand eight hundred pounds. For this sum four relatives and friends were sureties, and they paid the money. Part of that money has been repaid; every sixpence of it will be paid, and paid shortly. Property has been long set aside for the payment of that debt to its utmost farthing. My father felt that while that money remained unpaid there was a brand on himself and his family, and he has wrought, wrought as few men have wrought, to pay off, not only that, but other obligations of a sacred character. Many a bill of exchange, the proceeds of his labour, has he sent to old creditors who were in need of what he owed. For myself, sir, I have felt equally bound with my father; as his eldest son I felt that the fruits of my industry should stand pledged until every penny of those debts was paid and the honour of my family vindicated. An honourable member opposite, whom I regret to hear cheering on the person who made the attack, might have known that, under the legal

advice of his relative, I long ago secured that in the event of my death before the accomplishment of our long-cherished purpose, after the payment of my own obligations, the full discharge of those sacred debts of my father should stand as a first charge on my ample estate. Debts, sir, which I was no more bound in law to pay than any gentleman who hears me. For the painful transaction to which I have been forced to allude, I am no more responsible than any gentleman in this assembly. It happened in 1836; I was at that time but seventeen years of age, I was totally unconnected with it, but, young as I was, I felt then, as I feel now, the obligation it laid upon me, and I vowed that I should never rest until every penny had been paid. There are those present who have known my every action since I set foot in this country; they know I have not eaten the bread of idleness, but they did not know the great object of my labour. The one end of my desire for wealth was that I might discharge those debts and redeem my father's honour. Thank God, sir, my exertions have not been in vain. Thank God, sir, I have long possessed property far more than sufficient for all my desires. But, as those gentlemen know, it is one thing in this country to have property, and another to be able to withdraw a large sum of money from a business in active operation; and many a night have I laid my head on my pillow after a day of toil, estimating and calculating if the

time had yet arrived, when, with justice to those to whom I stood indebted, and without fear of embarrassment resulting, I might venture to carry out the purpose of my life. I have been accused of being ambitious; I have been charged with aspiring to the office of prime minister of this great country and of lending all my energies to the attainment of that end; but I only wish I could make my opponents understand how infinitely surpassing all this, how utterly petty and contemptible in my thoughts have been all such considerations, in comparison with the one longing desire to discharge those debts of honour and vindicate those Scottish principles that have been instilled into me since my youth. The honourable member for Cornwall [John Sandfield Macdonald] is well aware that every word I have spoken to-night has been long ago told him in private confidence, and he knows, too, that last summer I was rejoicing in the thought that I was at last in a position to visit my native land with the large sum necessary for all the objects I contemplated, and that I was only prevented from doing so by the financial storm which swept over the continent. Such, sir, are the circumstances upon which this attack is founded. Such the facts on which I have been denounced as a public defaulter and refugee from my native land. But why, asked the person who made the charge, has he sat silent under it? Why if the thing is false has he endured it so many years? What, sir, free myself from

blame by inculpating one so dear! Say 'It was not I who was in fault, it was my father'? Rather would I have lost my right arm than utter such a word! No, sir, I waited the time when the charge could be met as it only might be fittingly met; and my only regret even now is that I have been compelled to speak before those debts have been entirely liquidated. But it is due, sir, to my aged father that I explain that it has not been with his will that these imputations have been so long pointed at me, and that it has only been by earnest remonstrance that I have prevented his vindicating me in public long ere now. No man in Toronto, perhaps, is more generally known in the community, and I think I could appeal even to his political opponents to say if there is a citizen of Toronto at this day more thoroughly respected and esteemed. With a full knowledge of all that has passed, and all the consequences that have flowed from a day of weakness, I will say that an honester man does not breathe the air of heaven; that no son feels prouder of his father than I do to-day; and that I would have submitted to the obloquy and reproach of his every act, not fifteen years, but fifty—ay, have gone down to the grave with the cold shade of the world upon me, rather than that one of his gray hairs should have been injured."

Public opinion was strongly influenced in Mr. Brown's favour by this incident. "The entire address," said a leading Conservative paper next day,

"forms the most refreshing episode which the records of the Canadian House of Commons possess. Every true-hearted man must feel proud of one who has thus chivalrously done battle for his gray-haired sire. We speak deliberately when asserting that George Brown's position in the country is at this moment immeasurably higher than it ever previously has been. And though our political creed be diametrically antipodal to his own, we shall ever hail him as a credit to the land we love so well."

CHAPTER X

THE "DOUBLE SHUFFLE"

BY his advocacy of representation by population, by his opposition to separate schools, and his championship of Upper Canadian rights, Mr. Brown gained a remarkable hold upon the people. In the general elections of 1857 he was elected for the city of Toronto, in company with Mr. Robinson, a Conservative. The election of a Liberal in Toronto is a rare event, and there is no doubt that Mr. Brown's violent conflict with the Roman Catholic Church contributed to his victory, if it was not the main cause thereof. His party also made large gains through Upper Canada, and had a large majority in that part of the province, so that the majority for the Macdonald government was drawn entirely from Lower Canada. Gross election frauds occurred in Russell county, where names were copied into the poll-books from old directories of towns in the state of New York, and in Quebec city, where such names as Julius Caesar, Napoleon Bonaparte, Judas Iscariot and George Washington appeared on the lists. The Reformers attacked these elections in parliament without success, but in 1859 the sitting member for Russell and several others were tried for conspiracy, convicted and

sentenced to imprisonment. That the government felt itself to be much weakened throughout the country is evident from Mr. John A. Macdonald's unsuccessful effort to add another to his list of political combinations by detaching Mr. John Sandfield Macdonald from the Reform party, offering seats in the cabinet to him and another Reformer. The personal attack on Mr. Brown in the session of 1858 has already been mentioned. The chief political event of the session was the "Double Shuffle."

On July 28th, 1858, Mr. Brown succeeded in placing the ministry in a minority on the question of the seat of government. Unable to decide between the conflicting claims of Toronto, Quebec, Montreal and Kingston, the government referred the question to the queen, who decided in favour of Ottawa. Brown had opposed the reference to the queen, holding that the question should be settled in Canada. He also believed that the seat of government should not be fixed until representation by population was granted, and all matters in dispute between Upper and Lower Canada arranged. He now moved against Ottawa and carried his motion. During the same sitting the government was sustained on a motion to adjourn, which by understanding was regarded as a test of confidence. A few hours later the ministers met and decided that, although they had been sustained by a majority of the House, "it behoved them as the queen's servants to resent the slight which had

been offered Her Majesty by the action of the assembly in calling in question Her Majesty's choice of the capital." The governor-general, Sir Edmund Walker Head, sent for Mr. Brown as the leader of the Opposition, to form a government. It was contended by Liberals that he ought not to have taken this step unless he intended to give Mr. Brown and his colleagues his full confidence and support. If he believed that the defeat of the government was a mere accident, and that on general grounds it commanded a working majority in the legislature, he ought not to have accepted the resignation, unless he intended to sanction a fresh appeal to the country.

The invitation to form an administration was received by Mr. Brown on Thursday, July 28th. He at once waited on the governor-general and obtained permission to consult his friends. He called a meeting of the Upper Canadian members of his party in both Houses, and obtained from them promises of cordial support. With Dorion he had an important interview. Dorion agreed that the principle of representation by population was sound, but said that the French-Canadian people feared the consequences of Upper Canadian preponderance, feared that the peculiar institutions of French Canada would be swept away. To assure them, representation by population must be accompanied by constitutional checks and safeguards. Brown and Dorion parted in the belief that this

could be arranged. They believed also that they could agree upon an educational policy in which religious instruction could be given without the evils of separation.

Though Mr. Brown's power did not lie in the manipulation of combinations of men, he succeeded on this occasion in enlisting the services of colleagues of high character and capacity, including besides Dorion, Oliver Mowat, John Sandfield Macdonald, Luther Holton and L. T. Drummond. On Saturday morning Mr. Brown waited upon the governor-general, and informed him that having consulted his friends and obtained the aid of Mr. Dorion, he was prepared to undertake the task of forming an administration. During the day the formation of the ministry was completed. "At nine o'clock on Sunday night," to give the story in Mr. Brown's words, "learning that Mr. Dorion was ill, I went to see him at his apartments at the Rossin House, and while with him the governor-general's secretary entered and handed me a despatch. No sooner did I see the outside of the document than I understood it all. I felt at once that the whole corruptionist camp had been in commotion at the prospect of the whole of the public departments being subjected to the investigations of a second public accounts' committee, and comprehended at once that the transmission of such a despatch could have but the one intention of raising an obstacle in the way

of the new cabinet taking office, and I was not mistaken."[1]

The despatch declared that the governor-general gave no pledge, express or implied, with reference to dissolution. When advice was tendered on the subject he would act as he deemed best. It then laid down, with much detail, the terms on which he would consent to prorogation. Bills for the registration of voters and for the prohibition of fraudulent assignments and gifts by leaders should be enacted, and certain supplies obtained.

Mr. Brown criticized both these declarations. It was not necessary for the governor-general to say that he gave no pledge in regard to dissolution. To demand such a pledge would have been utterly unconstitutional. The governor was quite right in saying that he would deal with the proposal when it was made by his advisers. But while he needlessly and gratuitously declared that he would not pledge himself beforehand as to dissolution, he took exactly the opposite course as to prorogation, specifying almost minutely the terms on which he would consent to that step. Brown contended that the governor had no right to lay down conditions, or to settle beforehand the measures that must be enacted during the session. This was an attempt to dictate, not only to the ministry, but to the legislature. Mr. Brown and his colleagues believed that the governor was acting in collusion with the ministers

[1] Speech to Toronto electors, August, 1858.

who had resigned, that the intriguers were taken by surprise when Brown showed himself able to form a ministry, and that the Sunday communication was a second thought, a hurriedly devised plan to bar the way of the new ministers to office.

On Monday morning before conferring with his colleagues, Brown wrote to the governor-general, stating that his ministry had been formed, and submitting that "until they have assumed the functions of constitutional advisers of the Crown, he and his proposed colleagues will not be in a position to discuss the important measures and questions of public policy referred to in his memorandum." Brown then met his colleagues, who unanimously approved of his answer to the governor's memorandum, and agreed also that it was intended as a bar to their acceptance of office. They decided not to ask for a pledge as to dissolution, nor to make or accept conditions of any kind. "We were willing to risk our being turned out of office within twenty-four hours, but we were not willing to place ourselves constitutionally in a false position. We distinctly contemplated all that Sir Edmund Head could do and that he has done, and we concluded that it was our duty to accept office, and throw on the governor-general the responsibility of denying us the support we were entitled to, and which he had extended so abundantly to our predecessor."

When parliament assembled on Monday, a vote of want of confidence was carried against the new

government in both Houses. The newly appointed ministers had, of course, resigned their seats in parliament in order that they might offer themselves for re-election. It is true the majority was too great to be accounted for by the absence of the ministers. But the result was affected by the lack, not only of the votes of the ministers, but of their voices. In the absence of ministerial explanation, confusion and misunderstanding prevailed. The fact that Brown had been able to find common ground with Catholic and French-Canadian members had occasioned surprise and anxiety. On the one side it was feared that Brown had surrendered to the French-Canadians, and on the other that the French-Canadians had surrendered to Brown.

The conference between Brown and Dorion shows that the government was formed for the same purpose as the Brown-Macdonald coalition of 1864—the settlement of difficulties that prevented the right working of the union. The official declaration of its policy contains these words: "His Excellency's present advisers have entered the government with the fixed determination to propose constitutional measures for the establishment of that harmony between Upper and Lower Canada which is essential to the prosperity of the province."

Dissolution was asked on the ground that the new government intended to propose important constitutional changes, and that the parliament did

not represent the country, many of its members owing their seats to gross fraud and corruption. Thirty-two seats were claimed from sitting members on these grounds. The cases of the Quebec and Russell election have already been mentioned. The member elected for Lotbinière was expelled for violent interference with the freedom of election. Brown and his colleagues contended that these practices had prevailed to such an extent that the legislature could not be said to represent the country. Head's reply was that the frauds were likely to be repeated if a new election were held; that they really afforded a reason for postponing the election, at least until more stringent laws were enacted. The dissolution was refused; the Brown-Dorion government resigned, and the old ministers were restored to office.

On the resignation of the Brown-Dorion ministry the governor called upon A. T. Galt, who had given an independent support to the Macdonald-Cartier government. During the session of 1858 he had placed before the House resolutions favouring the federal union of Canada, the Maritime Provinces and the North-West Territory, and it is possible that his advocacy of this policy had something to do with the offer of the premiership. As yet, however, he was not prominent enough, nor could he command a support large enough, to warrant his acceptance of the office, and he declined. Then followed the "Double Shuffle."

THE DOUBLE SHUFFLE

The Macdonald-Cartier government resumed office under the name of the Cartier-Macdonald government, with Galt taking the place of Cayley, and some minor changes. Constitutional usage required that all the ministers should have returned to their constituents for re-election. A means of evading this requirement was found. The statute governing the case provided that when any minister should resign his office and within one month afterwards accept another office in the ministry, he should not thereby vacate his seat. With the object of obviating the necessity for a new election, Cartier, Macdonald, and their colleagues, in order to bring themselves within the letter of the law, although not within its spirit, exchanged offices, each taking a different one from that which he had resigned eight days before. Shortly before midnight of the sixth of August, they solemnly swore to discharge the duties of offices which several of them had no intention of holding; and a few minutes afterwards the second shuffle took place, and Cartier and Macdonald having been inspector-general and postmaster-general for this brief space, became again attorney-general east and attorney-general west.

The belief of the Reformers that the governor-general was guilty of partiality and of intrigue with the Conservative ministers is set forth as part of the history of the time. There is evidence of partiality, but no evidence of intrigue. The biographer of Sir John Macdonald denies the charge of intrigue, but

says that Macdonald and the governor were intimate personal friends.[1] Dent, who also scouts the charge of intrigue, says that the governor was prejudiced against Brown, regarding him as a mere obstructionist.[2] The governor-general seems to have been influenced by these personal feelings, making everything as difficult as possible for Brown, and as easy as possible for Macdonald, even to the point of acquiescing in the evasion of the law known as the "Double Shuffle."

In the debate on confederation, Senator Ferrier said that a political warfare had been waged in Canada for many years, of a nature calculated to destroy all moral and political principles, both in the legislature and out of it. The "Double Shuffle" is so typical of this dreary and ignoble warfare and it played so large a part in the political history of the time, that it has been necessary to describe it at some length. But for these considerations, the episode would have deserved scant notice. The headship of one of the ephemeral ministries that preceded confederation could add little to the reputation of Mr. Brown. His powers were not shown at their best in office, and the surroundings of office were not congenial to him. His strength lay in addressing the people directly, through his paper or on the platform, and in the hour of defeat or disappointment he turned to the people

[1] Pope's *Memoirs of Sir John Macdonald*, Vol. I., pp. 133, 134.

[2] Dent's *Last Forty Years*, Vol. II., pp. 379, 380.

for consolation. "During these contests," he said some years afterwards, "it was this which sustained the gallant band of Reformers who so long struggled for popular rights: that, abused as we might be, we had this consolation, that we could not go anywhere among our fellow-countrymen from one end of the country to the other—in Tory constituencies as well as in Reform constituencies—without the certainty of receiving from the honest, intelligent yeomanry of the country—from the true, right-hearted, right-thinking people of Upper Canada, who came out to meet us—the hearty grasp of the hand and the hearty greeting that amply rewarded the labour we had expended in their behalf. That is the highest reward I have hoped for in public life, and I am sure that no man who earns that reward will ever in Upper Canada have better occasion to speak of the gratitude of the people."

CHAPTER XI

AGAINST AMERICAN SLAVERY

IN his home in Scotland Brown had been imbued with a hatred of slavery. He spent several years of his early manhood in New York, and felt in all its force the domination of the slave-holding element. Thence he moved to Canada, for many years the refuge of the hunted slave. It is estimated that even before the passage of the Fugitive Slave Law, there were twenty thousand coloured refugees in Canada. It was customary for these poor creatures to hide by day and to travel by night. When all other signs failed they kept their eyes fixed on the North Star, whose light "seemed the enduring witness of the divine interest in their deliverance." By the system known as the "underground railway," the fugitive was passed from one friendly house to another. A code of signals was used by those engaged in the work of mercy—pass words, peculiar knocks and raps, a call like that of the owl. Negroes in transit were described as "fleeces of wool," and "volumes of the irrepressible conflict bound in black."

The passage of the Fugitive Slave Law deprived the negro of his security in the free states, and dragged back into slavery men and women who

had for years been living in freedom, and had found means to earn their bread and to build up little homes. Hence an impetus was given to the movement towards Canada, which the slave-holders tried to check by talking freely of the rigours of the Canadian climate. Lewis Clark, the original of George Harris in *Uncle Tom's Cabin* was told that if he went to Canada the British would put his eyes out, and keep him in a mine for life. Another was told that the Detroit River was three thousand miles wide.

But the exodus to Canada went on, and the hearts of the people were moved to compassion by the arrival of ragged and foot-sore wanderers. They found a warm friend in Brown, who paid the hotel bill of one for a week, gave fifty dollars to maintain a negro family, and besides numerous acts of personal kindness, filled the columns of the *Globe* with appeals on behalf of the fugitives. Early in 1851 the Anti-Slavery Society of Canada was organized. The president was the Rev. Dr. Willis, afterwards principal of Knox Presbyterian College, and the names of Peter Brown, George Brown, and Oliver Mowat are found on the committee. The object of the society was "the extinction of slavery all over the world by means exclusively lawful and peaceable, moral and religious, such as the diffusion of useful information and argument by tracts, newspapers, lectures, and correspondence, and by manifesting sympathy with the houseless and homeless victims

of slavery flying to our soil." Concerts were given, and the proceeds applied in aid of the refugees.

Brown was also strongly interested in the settlements of refugees established throughout Western Canada. Under an act of the Canadian parliament "for the settlement and moral improvement of the coloured population of Canada," large tracts of land were acquired, divided into fifty acre lots, and sold to refugees at low prices, payable in instalments. Sunday schools and day schools were established. The moving spirit in one of these settlements was the Rev. William King, a Presbyterian, formerly of Louisiana, who had freed his own slaves and brought them to Canada. Traces of these settlements still exist. Either in this way or otherwise, there were large numbers of coloured people living in the valley of the Thames (from Chatham to London), in St. Catharines, Hamilton, and Toronto.

At the annual meeting of the Anti-Slavery Society in 1852, Mr. Brown moved a resolution expressing gratitude to those American clergymen who had exposed the atrocities of the Fugitive Slave Law. He showed how, before its enactment, slaves were continually escaping to the Northern States, where they were virtually out of reach of their masters. There was a law enabling the latter to recover their property, but its edge was dulled by public opinion in the North, which was rapidly growing antagonistic to allowing the free states to become a hunting-ground for slave-catchers. The South took

alarm at the growth of this feeling, and procured the passage of a more stringent law. This law enabled the slave-holder to seize the slave wherever he found him, without warrant, and it forbade the freeman to shelter the refugee under penalty of six months' imprisonment, a fine of one thousand dollars, and liability to a civil suit for damages to the same amount. The enforcement of the law was given to federal instead of to State officials. After giving several illustrations of the working of the law, Mr. Brown proceeded to discuss the duty of Canada in regard to slavery. It was a question of humanity, of Christianity, and of liberty, in which all men were interested. Canada could not escape the contamination of a system existing so near her borders. "We, too, are Americans; on us, as well as on them, lies the duty of preserving the honour of the continent. On us, as on them, rests the noble trust of shielding free institutions."

Having long borne the blame of permitting slavery, the people of the North naturally expected that when the great struggle came they would receive the moral support of the civilized world in its effort to check and finally to crush out the evil. They were shocked and disappointed when this support was not freely and generously given, and when sympathy with the South showed itself strongly in Great Britain. Brown dealt with this question in a speech delivered in Toronto shortly after Lincoln's proclamation of emancipation. He had just

returned from Great Britain, and he said that in his six months' journey through England and Scotland, he had conversed with persons in all conditions of life, and he was sorry to say that general sympathy was with the South. This did not proceed from any change in the feeling towards slavery. Hatred of slavery was as strong as ever, but it was not believed that African slavery was the real cause of the war, or that Mr. Lincoln sincerely desired to bring the traffic to an end. This misunderstanding he attributed to persistent misrepresentation. There were men who rightly understood the merits of the contest, and among these he placed the members of the British ministry. The course of the ministry he described as one of scrupulous neutrality, and firm resistance to the invitations of other powers to interfere in the contest.

Brown himself never for a moment failed to understand the nature of the struggle, and he showed an insight, remarkable at that time, into the policy of Lincoln. The anti-slavery men of Canada, he said, had an important duty to discharge. "We, who have stood here on the borders of the republic for a quarter of a century, protesting against slavery as the sum of all human villainies—we, who have closely watched every turn of the question—we, who have for years acted and sympathized with the good men of the republic in their efforts for the freedom of their country—we, who have a practical knowledge of the atrocities of

the 'peculiar institution,' learned from the lips of the panting refugee upon our shores—we, who have in our ranks men all known on the other side of the Atlantic as life-long abolitionists—we, I say, are in a position to speak with confidence to the anti-slavery men of Great Britain—to tell them that they have not rightly understood this matter—to tell them that slavery is the one great cause of the American rebellion, and that the success of the North is the death-knell of slavery. Strange, after all that has passed, that a doubt of this should remain."

It was true, he said, that Lincoln was not elected as an abolitionist. Lincoln declared, and the Republican party declared, that they stood by the constitution; that they would, so far as the constitution allowed, restrict slavery and prevent its extension to new territory. Yet they knew that the constitution gave them all they desired. "Well did they know, and well did the Southerners know, that any anti-slavery president and congress, by their direct power of legislation, by their control of the public patronage, and by the application of the public moneys, could not only restrict slavery within its present boundaries, but could secure its ultimate abolition. The South perfectly comprehended that Mr. Lincoln, if elected, might keep within the letter of the constitution and yet sap the foundation of the whole slave system, and they acted accordingly."

In answering the question, "Why did not the North let the slave states go in peace?" Brown freely admitted the right of revolution. "The world no longer believes in the divine right of either kings or presidents to govern wrong; but those who seek to change an established government by force of arms assume a fearful responsibility—a responsibility which nothing but the clearest and most intolerable injustice will acquit them for assuming." Here was a rebellion, not to resist injustice but to perpetuate injustice; not to deliver the oppressed from bondage, but to fasten more hopelessly than ever the chains of slavery on four millions of human beings. Why not let the slave states go? Because it would have been wrong, because it would have built up a great slave power that no moral influence could reach, a power that would have overawed the free Northern States, added to its territory, and re-established the slave trade. Had Lincoln permitted the slave states to go, and to form such a power, he would have brought enduring contempt upon his name, and the people of England would have been the first to reproach him.

Brown argued, as he had done in 1852, that Canada could not be indifferent to the question, whether the dominant power of the North American continent should be slave or free. Holding that liberty had better securities under the British than under the American system, he yet believed that the failure of the American experiment would be a

calamity and a blow to free institutions all over the world. For years the United States had been the refuge of the oppressed in every land; millions had fled from poverty in Europe to find happiness and prosperity there. From these had been wafted back to Europe new ideas of the rights of the people. With the fall of the United States this impetus to freedom, world-wide in its influence, would cease. Demands for popular rights and free constitutions would be met by the despotic rulers of Europe with the taunt that in the United States free constitutions and popular rights had ended in disruption and anarchy. "Let us not forget that there have been, and still are, very different monarchies in the world from that of our own beloved queen; and assuredly there are not so many free governments on earth that we should hesitate to devise earnestly the success of that one nearest to our own, modelled from our own, and founded by men of our own race. I do most heartily rejoice, for the cause of liberty, that Mr. Lincoln did not patiently acquiesce in the dismemberment of the republic."

The Civil War in the United States raised the most important question of foreign policy with which the public men of Canada were called upon to deal in Brown's career. The dismemberment of the British empire would hardly have exercised a more profound influence on the human race and on world-wide aspirations for freedom, than the dismemberment of the United States and

the establishment on this continent of a mighty slave empire. Canada could not be indifferent to the issue. How long would the slave-holding power, which coerced the North into consenting to the Fugitive Slave Law, have tolerated the existence of a free refuge for slaves across the lakes? Either Canada would have been forced to submit to the humiliation of joining in the hunt for men, or the British empire would have been obliged to fight the battle that the North fought under the leadership of Lincoln. In the face of this danger confronting Canada and the empire and freedom, it was a time to forget smaller international animosities. Brown was one of the few Canadian statesmen who saw the situation clearly and rose to the occasion. For twenty years by his public speeches, and still more through the generous devotion of the *Globe* to the cause, he aided the cause of freedom and of the union of the lovers of freedom.

CHAPTER XII

BROWN AND THE ROMAN CATHOLICS

THAT the *Globe* and Mr. Brown, as related in a previous chapter, became associated with Lord John Russell's bill and the "no popery" agitation in England, may be regarded as a mere accident. The excitement would have died out here as it died out in England, if there had not been in Canada such a mass of inflammable material—so many questions in which the relations of Church and State were involved. One of these was State endowment of denominational schools. During Brown's early years in Canada the school system was being placed on a broad and popular basis. Salaries of teachers were wretchedly low. Fees were charged to children, and remitted only as an act of charity. Mr. Brown advocated a free and unsectarian system. Claims for denominational schools were put forward not only by the Roman Catholics but by the Anglicans. He argued that if this were allowed the public school system would be destroyed by division. The country could barely afford to maintain one good school system. To maintain a system for each denomination would require an immense addition to the number of school-houses and teachers, and would absorb the whole revenue of the province. At the same time, the

educational forces would be weakened by the division and thousands of children would grow up without education. "Under the non-sectarian system," said Brown, "the day is at hand when we may hope to abolish the school-tax and offer free education to every child in the province."

Eventually it was found possible to carry out Mr. Brown's idea of free education for every child in the province, and yet to allow Roman Catholic separate schools to be maintained. To this compromise Mr. Brown became reconciled, because it did not involve, as he had feared, the destruction of the free school system by division. The Roman Catholics of Upper Canada were allowed to maintain separate denominational schools, to have them supported by the taxes of Roman Catholic ratepayers and by provincial grants. So far as the education of Protestant children was concerned Mr. Brown's advocacy was successful. He opposed denominational schools because he feared they would weaken or destroy the general system of free education for all. Under the agreement which was finally arrived at, this fear was not realized. In his speech on confederation he admitted that the sectarian system, carried to a limited extent and confined chiefly to cities and towns, had not been a very great practical injury. The real cause of alarm was that the admission of the sectarian principle was there, and that at any moment it might be extended to such a degree as to split up our school system altogether: "that the separate system might

gradually extend itself until the whole country was studded with nurseries of sectarianism, most hurtful to the best interests of the province and entailing an enormous expense to sustain the hosts of teachers that so prodigal a system of public instruction must inevitably entail."

This, however, was not the only question at issue between Mr. Brown and the Roman Catholic Church. It happened, as has been said above, that on his first entry into parliament, the place of meeting was the city of Quebec. The Edinburgh-bred man found himself in a Roman Catholic city, surrounded by every evidence of the power of the Church. As he looked up from the floor of the House to the galleries he saw a Catholic audience, its character emphasized by the appearance of priests clad in the distinctive garments of their orders. It was his duty to oppose a great mass of legislation intended to strengthen that Church and to add to its privileges. His spirit rose and he grew more dour and resolute as he realized the strength of the forces opposed to him.

It would be doing an injustice to the memory of Mr. Brown to gloss over or minimize a most important feature of his career, or to offer apologies which he himself would have despised. The battle was not fought with swords of lath, and whoever wants to read of an old-fashioned "no popery" fight, carried on with abounding fire and vigour, will find plenty of matter in the files of the *Globe* of the

fifties. His success in the election of 1857, so far as Upper Canada was concerned, and especially his accomplishment of the rare feat of carrying a Toronto seat for the Reform party, was largely due to an agitation that aroused all the forces and many of the prejudices of Protestantism. Yet Brown kept and won many warm friends among Roman Catholics, both in Upper and in Lower Canada. His manliness attracted them. They saw in him, not a narrow-minded and cold-hearted bigot, seeking to force his opinions on others, but a brave and generous man, fighting for principles. And in Lower Canada there were many Roman Catholic laymen whose hearts were with him, and who were themselves entering upon a momentous struggle to free the electorate from clerical control. In his fight for the separation of Church and State, he came into conflict, not with Roman Catholics alone. In his own Presbyterian Church, at the time of the disruption, he strongly upheld the side which was identified with liberty. For several years after his arrival in Canada he was fighting against the special privileges of the Anglican Church. He often said that he was actuated, not by prejudice against one Church, but by hatred of clerical privilege, and love of religious liberty and equality.

In 1871 Mr. Brown, in a letter addressed to prominent Roman Catholics, gave a straight-forward account of his relations with the Roman Catholic Church. It is repeated here in a somewhat ab-

breviated form, but as nearly as possible in his own words. In the early days of the political history of Upper Canada, the great mass of Catholics were staunch Reformers. They suffered from Downing Street rule, from the domination of the "family compact," from the clergy reserves and from other attempts to arm the Anglican Church with special privileges and powers; they gave an intelligent and cordial support to liberal and progressive measures. They contributed to the victory of Baldwin and Lafontaine. But when that victory was achieved, the Upper Canadian Reformers found that a cause was operating to deprive them of its fruits,—"the French-Canadian members of the cabinet and their supporters in parliament, blocked the way." They not only prevented or delayed the measures which the Reformers desired, but they forced through parliament measures which antagonized Reform sentiment. "Although much less numerous than the people of Upper Canada, and contributing to the common purse hardly a fourth of the annual revenue of the United Provinces, the Lower Canadians sent an equal number of representatives with the Upper Canadians to parliament, and, by their unity of action, obtained complete dominancy in the management of public affairs." Unjust and injurious taxation, waste and extravagance, and great increases in the public debt followed. Seeking a remedy, the Upper Canadian Reformers demanded, first, representation by population, giving Upper

Canada its just influence in the legislature, and second, the entire separation of Church and State, placing all denominations on a like footing and leaving each to support its own religious establishments from the funds of its own people. They believed that these measures would remove from the public arena causes of strife and heartburning, and would bring about solid prosperity and internal peace. The battle was fought vigorously. "The most determined efforts were put forth for the final but just settlement of all those vexed questions by which religious sects were arrayed against each other. Clergymen were dragged as combatants into the political arena, religion was brought into contempt, and opportunity presented to our French-Canadian friends to rule us through our own dissensions." Clergy reserves, sectarian schools, the use of the public funds for sectarian purposes, were assailed. "On these and many similar questions, we were met by the French-Canadian phalanx in hostile array; our whole policy was denounced in language of the strongest character, and the men who upheld it were assailed as the basest of mankind. We, on our part, were not slow in returning blow for blow, and feelings were excited among the Catholics from Upper Canada that estranged the great bulk of them from our ranks." The agitation was carried on, however, until the grievances of which the Reformers complained were removed by the Act of Confederation. Under that Act the people of Ontario

enjoy representation according to population; they have entire control over their own local affairs; and the last remnant of the sectarian warfare—the separate school question—was settled forever by a compromise that was accepted as final by all parties concerned.

In this letter Mr. Brown said that he was not seeking to cloak over past feuds or apologize for past occurrences. He gloried in the justice and soundness of the principles and measures for which he and his party had contended, and he was proud of the results of the conflict. He asked Catholics to read calmly the page of history he had unfolded. "Let them blaze away at George Brown afterwards as vigorously as they please, but let not their old feuds with him close their eyes to the interests of their country, and their own interests as a powerful section of the body politic."

The censure applied to those who wantonly draw sectarian questions into politics, and set Catholic against Protestant, is just. But it does not attach to those who attack the privileges of any Church, and who, when the Church steps into the political arena, strike at it with political weapons. This was Brown's position. He was the sworn foe of clericalism. He had no affinity with the demagogues and professional agitators who make a business of attacking the Roman Catholic Church, nor with those whose souls are filled with vague alarms of papal supremacy, and who believe stories of Catholics drilling

in churches to fight their Protestant neighbours. He fought against real tyranny, for the removal of real grievances. When he believed that he had found in confederation the real remedy, he was satisfied, and he did not keep up an agitation merely for agitation's sake. It is not necessary to attempt to justify every word that may have been struck off in the heat of a great conflict. There was a battle to be fought; he fought with all the energy of his nature, and with the weapons that lay at hand. He would have shared Hotspur's contempt for the fop who vowed that "but for these vile guns he would himself have been a soldier."

CHAPTER XIII

MOVING TOWARDS CONFEDERATION

TO whom is due the confederation of the British North American provinces is a long vexed question. The Hon. D'Arcy McGee, in his speech on confederation, gave credit to Mr. Uniacke, a leading politician of Nova Scotia, who in 1800 submitted a scheme of colonial union to the imperial authorities; to Chief-Justice Sewell, to Sir John Beverley Robinson, to Lord Durham, to Mr. P. S. Hamilton, a Nova Scotia writer, and to Mr. Alexander Morris, then member for South Lanark, who had advocated the project in a pamphlet entitled *Nova Britannia*. "But," he added, "whatever the private writer in his closet may have conceived, whatever even the individual statesman may have designed, so long as the public mind was uninterested in the adoption, even in the discussion of a change in our position so momentous as this, the union of these separate provinces, the individual laboured in vain—perhaps, not wholly in vain, for although his work may not have borne fruit then, it was kindling a fire that would ultimately light up the whole political horizon and herald the dawn of a better day for our country and our people. Events stronger than advocacy, events stronger

than men, have come in at last like the fire behind the invisible writing, to bring out the truth of these writings and to impress them upon the mind of every thoughtful man who has considered the position and probable future of these scattered provinces." Following Mr. McGee's suggestion, let us try to deal with the question from the time that it ceased to be speculative and became practical, and especially to trace its development in the mind of one man.

In the later fifties Mr. Brown was pursuing a course which led almost with certainty to the goal of confederation. The people of Upper Canada were steadily coming over to his belief that they were suffering injustice under the union; that they paid more than their share of the taxes, and yet that Lower Canadian influence was dominant in legislation and in the formation of ministries. Brown's tremendous agitation convinced them that the situation was intolerable. But it was long before the true remedy was perceived. The French-Canadians would not agree to Brown's remedy of representation by population. Brown opposed as reactionary the proposal that the union should be dissolved. He desired not to go back to the day of small things—on the contrary, even at this early day, he was advocating the union of the western territories with Canada. Nor was he at first in favour of the federal principle. In 1853, in a formal statement of its programme, the *Globe* advocated uniform

legislation for the two provinces, and a Reform convention held at Toronto in 1857 recommended the same measure, together with representation by population and the addition of the North-West Territories to Canada.

In January, 1858, Brown wrote to his friend, Luther Holton, in a manner which showed an open mind: "No honest man can desire that we should remain as we are, and what other way out of our difficulties can be suggested but a general legislative union, with representation by population, a federal union, or a dissolution of the present union. I am sure that a dissolution cry would be as ruinous to any party as (in my opinion) it would be wrong. A federal union, it appears to me, cannot be entertained for Canada alone, but when agitated must include all British America. We will be past caring for politics when that measure is finally achieved. What powers should be given to the provincial legislatures, and what to the federal? Would you abolish county councils? And yet, if you did not, what would the local parliaments have to control? Would Montreal like to be put under the generous rule of the Quebec politicians? Our friends here are prepared to consider dispassionately any scheme that may issue from your party in Lower Canada. They all feel keenly that something must be done. Their plan is representation by population, and a fair trial for the present union in its integrity; failing this, they are prepared to go for dissolution, I

believe, but if you can suggest a federal or any other scheme that could be worked, it will have our most anxious examination. Can you sketch a plan of federation such as our friends below would agree to and could carry?"

Probably Dorion and other Lower Canadians had a part in converting Brown to federation. In 1856 Dorion had moved a resolution favouring the confederation of the two Canadas. In August, 1858, Brown and Dorion undertook to form a government pledged to the settlement of the question that had arisen between Upper and Lower Canada. Dorion says it was agreed by the Brown-Dorion government "that the constitutional question should be taken up and settled, either by a confederation of the two provinces, or by representation according to population, with such checks and guarantees as would secure the religious faith, the laws, the language, and the peculiar institutions of each section of the country from encroachments on the part of the other."

At the same time an effort in the same direction was made by the Conservative party. A. T. Galt, in the session of 1858, advocated the federal union of all the British North American provinces. He declared that unless a union were effected, the provinces would inevitably drift into the United States. He proposed that questions relating to education and likely to arouse religious dissension, ought to be left to the provinces. The resolutions moved by

Mr. Galt in 1858 give him a high place among the promoters of confederation. Galt was asked by Sir Edmund Head to form an administration on the resignation of the Brown government. Galt refused, but when he subsequently entered the Cartier government it was on condition that the promotion of federal union should be embodied in the policy of the government. Cartier, Ross and Galt visited England in fulfilment of this promise, and described the serious difficulties that had arisen in Canada. The movement failed because the co-operation of the Maritime Provinces could not be obtained.

In the autumn of 1859 two important steps leading towards federation were taken. In October the Lower Canadian members of the Opposition met in Montreal and declared for a federal union of the Canadas. They went so far as to specify the subjects of federal and local jurisdiction, allowing to the central authority the customs tariff, the post-office, patents and copyrights, and the currency; and to the local legislatures education, the laws of property, the administration of justice, and the control of the militia. In September a meeting of the Liberal members of both Houses was held at Toronto, and a circular calling a convention of Upper Canadian Reformers was issued. It declared that "the financial and political evils of the provinces have reached such a point as to demand a thorough reconsideration of the relations between Upper and Lower Canada, and the adoption of constitutional changes

framed to remedy the great abuses that have arisen under the present system"; that the nature of the changes had been discussed, but that it was felt that before coming to a conclusion "the whole Liberal party throughout Upper Canada should be consulted." The discussion would be free and unfettered. "Supporters of the Opposition advocating a written constitution or a dissolution of the union—or a federal union of all the British North American provinces—or a federal system for Canada alone—or any other plan calculated, in their opinion, to meet the existing evils—are all equally welcome to the convention. The one sole object is to discuss the whole subject with candour and without prejudice, that the best remedy may be found." Then came an account of the grievances for which a remedy was sought: "The position of Upper Canada at this moment is truly anomalous and alarming. With a population much more numerous than that of Lower Canada, and contributing to the general revenue a much larger share of taxation than the sister province, Upper Canada finds herself without power in the administration of the affairs of the union. With a constitution professedly based on the principle that the will of the majority should prevail, a minority of the people of Upper Canada, by combination with the Lower Canada majority, are enabled to rule the upper province in direct hostility to the popular will. Extravagant expenditures and hurtful legislative measures are forced on

us in defiance of the protests of large majorities of the representatives of the people ; the most needful reforms are denied, and offices of honour and emolument are conferred on persons destitute of popular sympathy, and without qualification beyond that of unhesitating subserviency to the men who misgovern the country."

The convention of nearly six hundred delegates gave evidence of a genuine, popular movement for constitutional changes. Though it was composed of members of only one party, its discussions were of general interest, and were upon a high level of intelligence and public spirit. The convention was divided between dissolution and federal union. Federation first got the ear of the meeting. Free access to the sea by the St. Lawrence, free trade between Upper and Lower Canada, were urged as reasons for continuing the union. Oliver Mowat made a closely reasoned speech on the same side. Representation by population alone would not be accepted by Lower Canada. Dissolution was impracticable and could not, at best, be obtained without long agitation. Federation would give all the advantages of dissolution without its difficulties.

Mowat's speech was received with much favour, and the current had set strongly for federation when George Sheppard arose as the chief advocate of dissolution. Sheppard had been an editorial writer on the *Colonist*, had been attracted by Brown and his policy and had joined the staff of the *Globe*. His

main argument was that the central government under federation would be a costly and elaborate affair, and would ultimately overshadow the governments of the provinces. There would be a central parliament, a viceroy with all the expense of a court. "A federal government without federal dignity would be all moonshine." There was an inherent tendency in central bodies to acquire increased power. In the United States a federal party had advocated a strong central government, and excuses were always being sought to add to its glory and influence. On the other side was a democratic party, championing State rights. "In Canada, too, we may expect to see federation followed by the rise of two parties, one fighting for a strong central government, the other, like Mr. Brown, contending for State rights, local control, and the limited authority of the central power." One of the arguments for federation was that it provided for bringing in the North-West Territory. That implied an expensive federal government for the purpose of organizing the new territory, building its roads, etc. "Is this federation," he asked, "proposed as a step towards nationality? If so, I am with you. Federation implies nationality. For colonial purposes only it would be a needless incumbrance."

This speech, with its accurate forecast of the growth of the central power, produced such an impression that the federalists amended their resolution, and proposed, instead of a general government,

"some joint authority" for federal purposes. This concession was made by William Macdougall, one of the secretaries and chief figures of the convention, who said that he had been much impressed by Sheppard's eloquence and logic. The creation of a powerful, elaborate and expensive central government such as now exists did not form part of the plans of the Liberals either in Upper or Lower Canada at that time.

Brown, who spoke towards the close of the convention, declared that he had no morbid fear of dissolution of the union, but preferred the plan of federation, as giving Upper Canada the advantage of free trade with Lower Canada and the free navigation of the St. Lawrence. One of his most forcible passages was an answer to Sheppard's question whether the federation was a step towards nationality. "I do place the question on grounds of nationality. I do hope there is not one Canadian in this assembly who does not look forward with high hope to the day when these northern countries shall stand out among the nations of the world as one great confederation. What true Canadian can witness the tide of emigration now commencing to flow into the vast territories of the North-West without longing to have a share in the first settlement of that great, fertile country? Who does not feel that to us rightfully belong the right and the duty of carrying the blessings of civilization throughout those boundless regions, and making

our own country the highway of traffic to the Pacific? But is it necessary that all this should be accomplished at once? Is it not true wisdom to commence federation with our own country, and leave it open to extension hereafter if time and experience shall prove it desirable? And shall we not then have better control over the terms of federation than if all were made parties to the original compact, and how can there be the slightest question with one who longs for such a nationality between dissolution and the scheme of the day? Is it not clear that the former would be the death blow to the hope of future union, while the latter will readily furnish the machinery for a great federation?"

The resolutions adopted by the convention declared that the legislative union, because of antagonisms developed through differences of origin, local interests, and other causes, could no longer be maintained; that the plan known as the "double majority" did not afford a permanent remedy; that a federal union of all the British North American colonies was out of the range of remedies for present evils; that the principle of representation by population must be recognized in any new union, and that "the best practical remedy for the evils now encountered in the government of Canada is to be found in the formation of two or more local governments, to which shall be committed the control of all matters of a local or sectional character,

and some joint authority charged with such matters as are necessarily common to both sections of the province."

The hopes that had been aroused by this convention were disappointed, or rather deferred. When Brown, in the following session of the legislature, brought forward resolutions in the sense of those adopted by the convention, he found coldness and dissension in his own party, and the resolutions were defeated by a large majority. Subsequently Mr. Brown had a long illness, retired from the leadership, and spent some time in England and Scotland. In his absence the movement for constitutional change was stayed. But "events stronger than advocacy," in Mr. McGee's words, were operating. Power oscillated between the Conservative and Reform parties, and two general elections, held within as many years, failed to solve the difficulty. When federation was next proposed, it had become a political necessity.

CHAPTER XIV

LAST YEARS OF THE UNION

IN 1860, Mr. Brown contemplated retiring from the leadership of the party. In a letter to Mr. Mowat, he said that the enemies of reform were playing the game of exciting personal hostility against himself, and reviving feelings inspired by the fierce contests of the past. It might be well to appoint a leader who would arouse less personal hostility. A few months later he had a long and severe illness, which prevented him from taking his place in the legislature during the session of 1861 and from displaying his usual activity in the general election of the summer of that year. He did, however, accept the hard task of contesting East Toronto, where he was defeated by Mr. John Crawford by a majority of one hundred and ninety-one. Mr. Brown then announced that the defeat had opened up the way for his retirement without dishonour, and that he would not seek re-election. Some public advantages, he said, might flow from that decision. Those whose interest it was that misgovernment should continue, would no longer be able to make a scapegoat of George Brown. Admitting that he had used strong language in denouncing French domination, he justified his course

as the only remedy for the evil. In 1852 he could hardly find a seconder for his motion in favour of representation by population; in the election just closed, he claimed fifty-three members from Upper Canada, elected to stand or fall by that measure. He had fought a ten years' battle without faltering. He advocated opposition to any ministry of either party that would refuse to settle the question.

The Conservative government was defeated, in the session following the election, on a militia bill providing for the maintenance of a force of fifty thousand men at a cost of about one million dollars. The American Civil War was in progress; the *Trent* affair had assumed a threatening appearance and it was deemed necessary to place the province in a state of defence. The bill was defeated by the defection of some French-Canadian supporters of the government. The event caused much disappointment in England; and from this time forth, continual pressure from that quarter in regard to defence was one of the forces tending towards confederation.

John Sandfield Macdonald, who was somewhat unexpectedly called upon to form a ministry, was an enthusiastic advocate of the "double majority," by which he believed the union could be virtually federalized without formal constitutional change. Upper Canadian ministers were to transact Upper Canadian business, and so with Lower Canada, the administration, as a whole, managing affairs of common interest. Local legislation was not to be forced

on either province against the wish of the representatives. The administration for each section should possess the confidence of a majority of representatives from that section.

Brown strongly opposed the "double majority" plan, which he regarded as a mere makeshift for reform in the representation, and he was in some doubt whether he should support or oppose the Liberal ministers who offered for re-election. He finally decided, after consultation with his brother Gordon, "to permit them to go in unopposed, and hold them up to the mark under the stimulus of bit and spur."

In July 1862, Mr. Brown sailed for Great Britain, and in September he wrote Mr. Holton that he had had a most satisfactory interview with the Duke of Newcastle at the latter's request. They seem to have talked freely about Canadian politics. "His scruples about representation are entirely gone. It would have done even Sandfield [Macdonald] good to hear his ideas on the absurdity of the 'double majority.' Whatever small politicians and the London *Times* may say, you may depend upon this, that the government and the leaders of the Opposition perfectly understand our position, and have no thought of changing the relations between Canada and the mother country. On the contrary, the members of the government, with the exception of Gladstone, are set upon the Intercolonial Railway and a grand transit route across the continent." He remarked upon the bitterness of the British feeling against the

United States, and said that he was perplexed by the course of the London *Times* in pandering to the passions of the people.

The most important event of his visit to Scotland was yet to come. On November 27th he married Miss Anne Nelson, daughter of the well-known publisher, Thomas Nelson—a marriage which was the beginning of a most happy domestic life of eighteen years. This lady survived him until May, 1906. On his return to Canada with his bride, Mr. Brown was met at Toronto station by several thousand friends. In reply to a complimentary address, he said, "I have come back with strength invigorated, with new, and I trust, enlarged views, and with the most earnest desire to aid in advancing the prosperity and happiness of Canada."

It has been seen that the Macdonald-Sicotte government had shelved the question of representation by population and had committed itself to the device of the "double majority." During Mr. Brown's absence another movement, which he had strongly resisted, had been gaining ground. In 1860, 1861, and 1862, Mr. R. W. Scott, of Ottawa, had introduced legislation intended to strengthen the Roman Catholic separate school system of Upper Canada. In 1863, he succeeded, by accepting certain modifications, in obtaining the support of Dr. Ryerson, superintendent of education. Another important advantage was that his bill was adopted as a government measure by the Sandfield Macdonald ministry.

The bill became law in spite of the fact that it was opposed by a majority of the representatives from Upper Canada. This was in direct contravention of the "double majority" resolutions adopted by the legislature at the instance of the government. The premier had declared that there should be a truce to the agitation for representation by population or for other constitutional changes. That agitation had been based upon the complaint that legislation was being forced upon Upper Canada by Lower Canadian votes. The "double majority" resolutions had been proposed as a substitute for constitutional change. In the case of the Separate School Bill they were disregarded, and the premier was severely criticized for allowing his favourite principle to be contravened.

Mr. Brown had been absent in the sessions of 1861 and 1862, and he did not enter the House in 1863 until the Separate School Bill had passed its second reading. In the *Globe*, however, it was assailed vigorously, one ground being that the bill was not a finality, but that the Roman Catholic Church would continually make new demands and encroachments, until the public school system was destroyed. On this question of finality there was much controversy. Dr. Ryerson always insisted that there was an express agreement that it was to be final; on the Roman Catholic side this is denied. At confederation Brown accepted the Act of 1863 as a final settlement. He said that if he had been

present in 1863, he would have voted against the bill, because it extended the facility for establishing separate schools. "It had, however, this good feature, that it was accepted by the Roman Catholic authorities, and carried through parliament as a final compromise of the question in Upper Canada." He added: "I have not the slightest hesitation in accepting it as a necessary condition of the union." With confederation, therefore, we may regard Brown's opposition to separate schools in Upper Canada as ended. In accepting the terms of confederation, he accepted the Separate School Act of 1863, though with the condition that it should be final, a condition repudiated on the Roman Catholic side.

The Sandfield Macdonald government was weakened by this incident, and it soon afterwards fell upon a general vote of want of confidence moved by Mr. John A. Macdonald. Parliament was dissolved and an election was held in the summer of 1863. The Macdonald-Dorion government obtained a majority in Upper but not in Lower Canada, and on the whole, its tenure of power was precarious in the extreme. Finally, in March, 1864, it resigned without waiting for a vote of want of confidence. Its successor, the Taché-Macdonald government, had a life of only three months, and its death marks the birth of a new era.

CHAPTER XV

CONFEDERATION

"EVENTS stronger than advocacy, events stronger than men," to repeat D'Arcy McGee's phrase, combined in 1864 to remove confederation from the field of speculation to the field of action. For several years the British government had been urging upon Canada the necessity for undertaking a greater share of her own defence. This view was expressed with disagreeable candour in the London *Times* and elsewhere on the occasion of the defeat of the Militia Bill of 1862. The American Civil War emphasized the necessity for measures of defence. At the time of the *Trent* seizure, Great Britain and the United States were on the verge of war, of which Canada would have been the battle-ground. As the war progressed, the world was astonished by the development of the military power of the republic. It seemed not improbable, at that time, that when the success of the North was assured, its great armies would be used for the subjugation of Canada. The North had come to regard Canada as a home of Southern sympathizers and a place in which conspiracies against the republic were hatched by Southerners. Though Canada was not to blame for the use that was made of its soil,

yet some ill-feeling was aroused, and public men were warranted in regarding the peril as real.

Canada was also about to lose a large part of its trade. For ten years that trade had been built up largely on the basis of reciprocity with the United States, and the war had largely increased the American demand for Canadian products. It was generally expected, and that expectation was fulfilled, that the treaty would be abrogated by the United States. It was feared that the policy of commercial non-intercourse would be carried even farther, the bonding system abolished, and Canada cut off from access to the seaboard during the winter.[1]

If we add to these difficulties the domestic dissensions of Canada, we must recognize that the outlook was dark. Canada was then a fringe of settlement, extending from the Detroit River to the Gulf of St. Lawrence, having no independent access to the Atlantic except during the summer. She had been depending largely upon Great Britain for defence, and upon the United States for trade. She had received warning that both these supports were to be weakened, and that she must rely more on her own resources, find new channels of trade and new means of defence. The country lay in the midst of the continent, isolated from the west, iso-

[1] Sir Richard Cartwright says also that the credit of Canada was very low, largely because of the troubles of the Grand Trunk Railway Company. *Memories of Confederation*, p. 3.

lated in part from the east, with a powerful and not too friendly neighbour to the south. Upper and Lower Canada, with their racial differences as sharply defined as in the days of Lord Durham, regarded each other with distrust; one political combination after another had failed to obtain a working majority of the legislature, and domestic government was paralyzed. Such a combination of danger and difficulty, within and without, might well arouse alarm, rebuke faction and stimulate patriotism.

The election of 1863 was virtually a drawn battle. The Reformers had a large majority in Upper Canada, their opponents a like majority in Lower Canada, and thus not only the two parties, but the two provinces, were arrayed against each other. The Reform government, headed by Sandfield Macdonald and Dorion, found its position of weakness and humiliation intolerable, and resigned in March, 1864. The troubled governor-general called upon A. T. Fergusson Blair, a colleague of Sandfield Macdonald, to form a new administration. He failed. He called upon Cartier with a like result. He finally had a little better success with Sir E. P. Taché, a veteran who had been a colleague of Baldwin, of Hincks, and of Macdonald. Taché virtually restored the Cartier-Macdonald government, taking in Foley and McGee from the other side. In less than three months, on June 14th, this government was defeated, and on the very day of its defeat relief came. Letters

written by Brown to his family during the month preceding the crisis throw some light on the situation.

On May 13th he writes: "Things here are very unsatisfactory; no one sees his way out of the mess —and there is no way but my way—representation by population. There is great talk to-day of coalition—and what do you think? Why, that in order to make the coalition successful, the imperial government are to offer me the government of one of the British colonies. I have been gravely asked to-day by several if it is true, and whether I would accept. My reply was, I would rather be proprietor of the *Globe* newspaper for a few years than be governor-general of Canada, much less a trumpery little province. But I need hardly tell you, the thing has no foundation, beyond sounding what could be done to put me out of the way and let mischief go on. But we won't be bought at any price, shall we?" On May 18th he writes that he has brought on his motion for constitutional changes, and on May 20th that it has carried and taken Cartier and Macdonald by surprise. "Much that is directly practical may not flow from the committee, but it is an enormous gain to have the acknowledgment on our journals that a great evil exists, and that some remedy must be found."

On June 14th Mr. Brown, as chairman of a committee appointed to consider the difficulties connected with the government of Canada, brought in

a report recommending "a federative system, applied either to Canada alone, or to the whole British North American provinces." This was the day on which the Taché government was defeated. On the subject of the negotiations which followed between Mr. Brown and the government, there is a difference between the account given by Sir John Macdonald in the House, and accepted by all parties as official, and a letter written by Mr. Brown to a member of his family. The official account represents the first movement as coming from Mr. Brown, the letter says that the suggestion came from the governor-general. It would seem likely that the idea moved gradually from informal conversations to formal propositions. The governor had proposed a coalition on the defeat of the Macdonald-Dorion government, and he repeated the suggestion on the defeat of the Taché-Macdonald government; but his official memorandum contains no reference to constitutional changes. It would seem that there was a great deal of talk of coalition in the air before Brown made his proposals, and perhaps some talk of offering him an appointment that would remove him from public life. But the Conservative ministers were apparently thinking merely of a coalition that would break the dead-lock, and enable the ordinary business of the country to proceed. Brown's idea was to find a permanent remedy in the form of a change in the constitution. When he made his proposal to co-operate with his opponents for the

purpose of settling the difficulties between Upper and Lower Canada, his proposal fell upon minds familiarized with the idea of coalition, and hence its ready acceptance. On his part, Mr. Brown was ready to abate certain party advantages in order to bring about constitutional reform. Mr. Ferrier, in the debate on confederation, says that it was he who suggested that the proposal made by Mr. Brown to Mr. Pope and Mr. Morris should be communicated to the government. Ferrier gives a lively account of the current gossip as to the meeting between Brown and the ministers. "I think I can remember this being said, that when Mr. Galt met Mr. Brown he received him with that manly, open frankness which characterizes him; that when Mr. Cartier met Mr. Brown, he looked carefully to see that his two Rouge friends were not behind him, and that when he was satisfied they were not, he embraced him with open arms and swore eternal friendship; and that Mr. Macdonald, at a very quick glance, saw there was an opportunity of forming a great and powerful dependency of the British empire. . . . We all thought, in fact, that a political millennium had arrived."

In a family letter written at this time Mr. Brown said: "June 18th, past one in the morning. We have had great times since I wrote you. On Tuesday we defeated the government by a majority of two. They asked the governor-general to dissolve parliament, and he consented; but before acting on

it, at the governor's suggestion, they applied to me to aid them in reconstructing the government, on the basis of settling the constitutional difficulties between Upper and Lower Canada. I refused to accept office, but agreed to help them earnestly and sincerely in the matter they proposed. Negotiations were thereupon commenced, and are still going on, with considerable hope of finding a satisfactory solution to our trouble. The facts were announced in the House to-day by John A. Macdonald, amid tremendous cheering from both sides of the House. You never saw such a scene; but you will have it all in the papers, so I need not repeat. Both sides are extremely urgent that I should accept a place in the government, if it were only for a week; but I will not do this unless it is absolutely needed to the success of the negotiations. A more agreeable proposal is that I should go to England to arrange the new constitution with the imperial government. But as the whole thing may fail, we will not count our chickens just yet."

Sir Richard Cartwright, then a young member of parliament, relates an incident illustrating the tension on men's minds at that time. He says: "On that memorable afternoon when Mr. Brown, not without emotion, made his statement to a hushed and expectant House, and declared that he was about to ally himself with Sir Georges Cartier and his friends for the purpose of carrying out confederation, I saw an excitable, elderly little

French member rush across the floor, climb up on Mr. Brown, who, as you remember, was of a stature approaching the gigantic, fling his arms about his neck and hang several seconds there suspended, to the visible consternation of Mr. Brown and to the infinite joy of all beholders, pit, box and gallery included."[1]

The official account given by Mr. Macdonald in the House, is that immediately after the defeat of the government on Tuesday night (the 14th), and on the following morning, Mr. Brown spoke to several supporters of the administration, strongly urging that the present crisis should be utilized in settling forever the constitutional difficulties between Upper and Lower Canada, and assuring them that he was ready to co-operate with the existing or any other administration that would deal with the question promptly and firmly, with a view to its final settlement. Mr. Morris and Mr. Pope, to whom the suggestion was made, obtained leave to communicate it to Mr. John A. Macdonald and Mr. Galt. On June 17th Mr. Macdonald and Mr. Galt called upon Mr. Brown. In the conversation that ensued Mr. Brown expressed his extreme reluctance to entering the ministry, declaring that the public mind would be shocked by such an arrangement. The personal question being dropped for the time, Mr. Brown asked what remedy was proposed.

[1] *Memories of Confederation.* An address delivered before the Canadian Club of Ottawa, January 20th, 1906.

Mr. Macdonald and Mr. Galt replied that their remedy was a federal union of all the British North American provinces. Mr. Brown said that this would not be acceptable to Upper Canada. The federation of all the provinces ought to come and would come in time, but it had not yet been thoroughly considered by the people; and even were this otherwise, there were so many parties to be consulted that its adoption was uncertain and remote. He expressed his preference for parliamentary reform, based on population. On further discussion it appeared that a compromise might be found in an alternative plan, a federal union of all the British North American provinces or a federal union of Upper and Lower Canada, with provision for the admission of the Maritime Provinces and the North-West Territory when they desired. There was apparently a difference of opinion as to which alternative should be presented first. One memorandum reduced to writing gave the preference to the larger federation; the second and final memorandum contained this agreement: "The government are prepared to pledge themselves to bring in a measure next session for the purpose of removing existing difficulties by introducing the federal principle into Canada, coupled with such provisions as will permit the Maritime Provinces and the North-West Territory to be incorporated into the same system of government. And the government will, by sending representatives to the Lower Provinces and to Eng-

land, use its best endeavours to secure the assent of those interests which are beyond the control of our own legislation to such a measure as may enable all British North America to be united under a general legislature based upon the federal principle."

It was Mr. Brown who insisted on this mode of presentation. At the convention of 1859 he had expressed in the strongest language his hope for the creation of a great Canadian nationality; and he had for years advocated the inclusion of the North-West Territories in a greater Canada. But he regarded the settlement of the difficulties of Upper and Lower Canada as the most pressing question of the hour, and he did not desire that the solution of this question should be delayed or imperilled. Galt's plan of federation, comprehensive and admirable as it was, had failed because the assent of the Maritime Provinces could not be secured; and for five years afterwards no progress had been made. It was natural that Brown should be anxiously desirous that the plan for the reform of the union of the Canadas should not fail, whatever else might happen.

On June 21st, Mr. Brown called a meeting of the members of the Opposition for Upper Canada. It was resolved, on motion of Mr. Hope Mackenzie, "that we approve of the course which has been pursued by Mr. Brown in the negotiations with the government, and that we approve of the project of a federal union of the Canadas, with provision for the inclusion of the Maritime Provinces and the

North-West Territory, as one basis on which the constitutional difficulties now existing could be settled." Thirty-four members voted for this motion, five declining to vote. A motion that three members of the Opposition should enter the government was not so generally supported, eleven members, including Alexander Mackenzie and Oliver Mowat, voting in the negative. The Lower Canadian Reformers held aloof, and in the subsequent debate in the legislature, strongly opposed confederation.

There were many evidences of the keen interest taken by the governor-general (Monk) in the negotiations. On June 21st he wrote to Mr. Brown: "I think the success or failure of the negotiations which have been going on for some days, with a view to the formation of a strong government on a broad basis, depends very much on your consenting to come into the cabinet.

"Under these circumstances I must again take the liberty of pressing upon you, by this note, my opinion of the grave responsibility which you will take upon yourself if you refuse to do so.

"Those who have hitherto opposed your views have consented to join with you in good faith for the purpose of extricating the province from what appears to me a very dangerous position.

"They have frankly offered to take up and endeavour to settle on principles satisfactory to all, the great constitutional question which you, by your energy and ability, have made your own.

"The details of that settlement must necessarily be the subject of grave debate in the cabinet, and I confess I cannot see how you are to take part in that discussion, or how your opinions can be brought to bear on the arrangement of the question, unless you occupy a place at the council table.

"I hope I may, without impropriety, ask you to take these opinions into consideration before you arrive at a final decision as to your own course."

Mr. Brown wrote home that he, in consenting to enter the cabinet, was influenced by the vote of the Reform members, by private letters from many quarters, and still more by the extreme urgency of the governor-general. "The thing that finally determined me was the fact, ascertained by Mowat and myself, that unless we went in the whole effort for constitutional changes would break down, and the enormous advantages gained by our negotiations probably be lost. Finally, at three o'clock yesterday, I consented to enter the cabinet as 'president of the council,' with other two seats in the cabinet at my disposal—one of which Mowat will take, and probably Macdougall the other. We consented with great reluctance, but there was no help for it; and it was such a temptation to have possibly the power of settling the sectional troubles of Canada forever. The announcement was made in the House yesterday, and the excitement all over the province is intense. I send you an official copy of the proceedings during the negotiations, from which you will

see the whole story. By next mail I intend to send you some extracts from the newspapers. The unanimity of sentiment is without example in this country, and were it not that I know at their exact value the worth of newspaper laudations, I might be puffed up a little in my own conceit. After the explanations by ministers I had to make a speech, but was so excited and nervous at the events of the last few days that I nearly broke down. However, after a little I got over it, and made (as Mowat alleges) the most telling speech I ever made. There was great cheering when I sat down, and many members from both sides crowded round me to congratulate me. In short, the whole movement is a grand success, and I really believe will have an immense influence on the future destinies of Canada."

The formation of the coalition cabinet was announced on June 30th. Foley, Buchanan and Simpson, members of the Upper Canadian section of the Taché-Macdonald ministry, retired, and their places were taken by the Hon. George Brown, Oliver Mowat, and William Macdougall. Otherwise the ministry remained unchanged. Sir E. P. Taché, though a Conservative, was acceptable to both parties, and was well fitted to head a genuine coalition. But it must have been evident from the first that the character of a coalition would not be long maintained. The Reform party, which had just defeated the government in the legislature, was represented

by only three ministers out of twelve; and this, with Macdonald's skill in managing combinations of men, made it morally certain that the ministry must eventually become Conservative, just as happened in the case of the coalition of 1854. Brown had asked that the Reformers be represented by four ministers from Upper Canada and two from Lower Canada, which would, as nearly as possible, have corresponded with the strength of his party in the legislature. Galt and Macdonald represented that a change in the personnel of the Lower Canadian section of the cabinet would disturb the people and shake their confidence. The Lower Canadian Liberal leaders, Dorion and Holton, were adverse to the coalition scheme, regarding it as a mere device for enabling Macdonald and his friends to hold office.

Mowat and Brown were re-elected without difficulty, but Macdougall met with strong opposition in North Ontario. Brown, who was working hard in his interests, found this opposition so strong among Conservatives that he telegraphed to Macdonald, who sent a strong letter on behalf of Macdougall. Brown said that the opposition came chiefly from Orangemen. The result was that Macdougall, in spite of the assistance of the two leaders, was defeated by one hundred. He was subsequently elected for North Lanark. In other bye-elections the advocates of confederation were generally successful. In the confederation debate, Brown said there had

been twenty-five contests, fourteen for the Upper House and eleven for the Lower House, and that only one or two opponents of confederation had been elected.

There had been for some years an intermittent movement for the union of the Maritime Provinces, and in 1864 their legislatures had authorized the holding of a convention at Charlottetown. Accordingly eight members of the Canadian ministry visited Charlottetown, where they were cordially welcomed. They dwelt on the advantage of substituting the larger for the smaller plan of union, and the result of their representations was that arrangements were made for the holding of a general conference at Quebec later in the year. The Canadian ministers made a tour through the Maritime Provinces, speaking in public and familiarizing the people with the plan. At a banquet in Halifax, Mr. Brown gave a full exposition of the project and its advantages in regard to defence, commerce, national strength and dignity, adding that it would end the petty strifes of a small community, and elevate politics and politicians.

The scheme was destined to undergo a more severe ordeal in the Maritime Provinces than these festive gatherings. For the present, progress was rapid, and the maritime tour was followed by the conference at Quebec, which opened on October 10th, 1864.

CHAPTER XVI

THE QUEBEC CONFERENCE

THE conference was held with closed doors, so as to encourage free discussion. Some fragmentary notes have been preserved. One impression derived from this and other records is that the public men of that day had been much impressed by the Civil War in the United States, by the apparent weakness of the central authority there, and by the dangers of State sovereignty. Emphasis was laid upon the monarchical element of the proposed constitution for Canada, and upon the fact that powers not expressly defined were to rest in the general, instead of the local, legislatures. In fact, Mr. Chandler, a representative of New Brunswick, complained that the proposed union was legislative, not federal, and reduced the local governments to the status of municipal corporations. In practice these residuary powers were not so formidable as they appeared; the defined powers of the local legislatures were highly important, and were fully maintained, if not enlarged, as a result of the resolute attitude of Ontario under the Mowat government. But the notion that Canada must avoid the dangers of State sovereignty is continually cropping up in the literature of confederation. Friends and

opponents of the new constitution made much of these mysterious residuary powers, and the Lower Canadian Liberals feared that they were being drawn into a union that would destroy the liberties and imperil the cherished institutions of the French-Canadian people.

Another point is the extraordinary amount of time and labour given to the constitution of the senate. "The conference proceedings," wrote Mr. Brown, "get along very well, considering we were very near broken up on the question of the distribution of members in the Upper Chamber of the federal legislature, but fortunately, we have this morning got the matter amicably compromised, after a loss of three days in discussing it." During the latter years of the union, the elective system had prevailed in Canada, and Mowat, Macdougall and others favoured continuing this practice, but were overruled. Brown joined Macdonald in supporting the nominative system. His reasons were given in his speech in the legislature in 1865. He believed that two elective chambers were incompatible with the British parliamentary system. The Upper Chamber, if elected, might claim equal power with the Lower, including power over money bills. It might amend money bills, might reject all legislation, and stop the machinery of government. With a Conservative majority in one House, and a Reform majority in the other, a dead-lock might occur. To the objection that the change from the

elective to the nominative system involved a diminution of the power of the people, Mr. Brown answered that the government of the day would be responsible for each appointment. It must be admitted that this responsibility is of little practical value, and that Mr. Brown fully shared in the delusions of his time as to the manner in which the senate would be constituted, and the part it would play in the government of the country.

A rupture was threatened also on the question of finance. A large number of local works which in Upper Canada were paid for by local municipal taxation, were in the Maritime Provinces provided out of the provincial revenues. The adjustment was a difficult matter, and finally it was found necessary for the financial representatives of the different provinces to withdraw, for the purpose of constructing a scheme.

On October 28th the conference was concluded, and its resolutions substantially form the constitution of Canada. On October 31st Brown wrote: "We got through our work at Quebec very well. The constitution is not exactly to my mind in all its details—but as a whole it is wonderful, really wonderful. When one thinks of all the fighting we have had for fifteen years, and finds the very men who fought us every inch, now going far beyond what we asked, I am amazed and sometimes alarmed lest it all go to pieces yet. We have yet to pass the ordeal of public opinion in the

several provinces, and sad, indeed, will it be if the measure is not adopted by acclamation in them all. For Upper Canada we may well rejoice on the day it becomes law. Nearly all our past difficulties are ended by it, whatever new ones may arise."

A journey made by the delegates through Canada after the draft was completed enabled Canadians to make the acquaintance of some men of mark in the Maritime Provinces, including Tilley, of New Brunswick, and Tupper, of Nova Scotia, and it evoked in Upper Canada warm expressions of public feeling in favour of the new union. It is estimated that eight thousand people met the delegates at the railway station in Toronto. At a dinner given in the Music Hall in that city, Mr. Brown explained the new constitution fully. He frankly confessed that he was a convert to the scheme of the Intercolonial Railway, for the reason that it was essential to the union between Canada and the Maritime Provinces. The canal system was to be extended, and as soon as the finances would permit communication was to be opened with the North-West Territory. "This was the first time," wrote Mr. Brown, "that the confederation scheme was really laid open to the public. No doubt —— was right in saying that the French-Canadians were restive about the scheme, but the feeling in favour of it is all but unanimous here, and I think there is a good chance of carrying it. At any rate, come what may, I can now get out of the affair and out

of public life with honour, for I have had placed on record a scheme that would bring to an end all the grievances of which Upper Canada has so long complained."

The British government gave its hearty blessing to the confederation, and the outlook was hopeful. In December, 1864, Mr. Brown sailed for England, for the purpose of obtaining the views of the British government. He wrote from London to Mr. Macdonald that the scheme had given prodigious satisfaction. "The ministry, the Conservatives and the Manchester men are all delighted with it, and everything Canadian has gone up in public estimation immensely. . . . Indeed, from all classes of people you hear nothing but high praise of 'Canadian statesmanship,' and loud anticipations of the great future before us. I am much concerned to observe, however, and I write it to you as a thing that must seriously be considered by all men taking a lead hereafter in Canadian public matters—that there is a manifest desire in almost every quarter, that ere long the British American colonies should shift for themselves, and in some quarters evident regret that we did not declare at once for independence. I am very sorry to observe this, but it arises, I hope, from the fear of invasion of Canada by the United States, and will soon pass away with the cause that excites it."

CHAPTER XVII

THE CONFEDERATION DEBATE

THE parliament of Canada assembled on January 19th, 1865, to consider the resolutions of the Quebec conference. The first presentation of the reasons for confederation was made in the Upper Chamber by the premier, Sir E. P. Taché. He described the measure as essential to British connection, to the preservation of "our institutions, our laws, and even our remembrances of the past." If the opportunity were allowed to pass by unimproved, Canada would be forced into the American union by violence; or would be placed upon an inclined plane which would carry it there insensibly. Canada, during the winter, had no independent means of access to the sea, but was dependent on the favour of a neighbour which, in several ways, had shown a hostile spirit. The people of the Northern States had an exaggerated idea of Canadian sympathy with the South, and the consequences of this misapprehension were—first, the threatened abolition of the transit system; second, the discontinuance of reciprocity; third, a passport system, which was almost equivalent to a prohibition of intercourse. Union with the Maritime Provinces would give Canada continuous

and independent access to the Atlantic; and the Maritime Provinces would bring into the common stock their magnificent harbours, their coal mines, their great fishing and shipping industries. Then he recounted the difficulties that had occurred in the government of Canada, ending in dead-lock, and a condition "bordering on civil strife." He declared that Lower Canada had resisted representation by population under a legislative union, but that if a federal union were obtained, it would be tantamount to a separation of the provinces, and Lower Canada would thereby preserve its autonomy, together with all the institutions it held so dear. These were the main arguments for confederation, and in the speeches which followed on that side they were repeated, enforced, and illustrated in various ways.

In the assembly, Mr. John A. Macdonald, as attorney-general, gave a clear and concise description of the new constitution. He admitted that he had preferred a legislative union, but had recognized that such a union would not have been accepted either by Lower Canada or the Maritime Provinces. The union between Upper and Lower Canada, legislative in name, had been federal in fact, there being, by tacit consent and practice, a separate body of legislation for each part of the province. He described the new scheme of government as a happy combination of the strength of a legislative union with the freedom of a federal union, and with protection to local interests. The constitution of the

United States was "one of the most skilful works which human intelligence ever created; one of the most perfect organizations that ever governed a free people." Experience had shown that its main defect was the doctrine of State sovereignty. This blemish was avoided in the Canadian constitution by vesting all residuary powers in the central government and legislature. The Canadian system would also be distinguished from the American by the recognition of monarchy and of the principle of responsible government. The connection of Canada with Great Britain he regarded as tending towards a permanent alliance. "The colonies are now in a transition state. Gradually a different colonial system is being developed; and it will become year by year less a case of dependence on our part, and of overruling protection on the part of the mother country, and more a case of a hearty and cordial alliance. Instead of looking upon us as a merely dependent colony, England will have in us a friendly nation—a subordinate, but still a powerful people—to stand by her in North America, in peace or in war."

Brown spoke on the night of February 8th, his speech, occupying four hours and a half in delivery, showing the marks of careful preparation. He drew an illustration from the mighty struggle that had well-nigh rent the republic asunder, and was then within a few weeks of its close. "We are striving," he said, "to settle forever issues hardly less momentous than those that have rent the neighbouring

republic and are now exposing it to all the horrors of civil war. Have we not then great cause for thankfulness that we have found a better way for the solution of our troubles? And should not every one of us endeavour to rise to the magnitude of the occasion, and earnestly seek to deal with this question to the end, in the same candid and conciliatory spirit in which, so far, it has been discussed?"

He warned the assembly that whatever else happened, the constitution of Canada would not remain unchanged. "Something must be done. We cannot stand still. We cannot go back to chronic, sectional hostility and discord—to a state of perpetual ministerial crisis. The events of the last eight months cannot be obliterated—the solemn admissions of men of all parties can never be erased. The claims of Upper Canada for justice must be met, and met now. Every one who raises his voice in hostility to this measure is bound to keep before him, when he speaks, all the perilous consequences of its rejection. No man who has a true regard for the well-being of Canada can give a vote against this scheme unless he is prepared to offer, in amendment, some better remedy for the evils and injustice that have so long threatened the peace of our country."

In the first place, he said confederation would provide a complete remedy for the injustice of the system of parliamentary representation, by giving Upper Canada, in the House of Commons, the number of members to which it was entitled by

population. In the senate, the principle of representation by population would not be maintained, an equal number of senators being allotted to Ontario, to Quebec, and to the group of Maritime Provinces, without regard to population. Secondly, the plan would remedy the injustice of which Upper Canada had complained in regard to public expenditures. "No longer shall we have to complain that one section pays the cash while the other spends it; hereafter they who pay will spend, and they who spend more than they ought, will bear the brunt. If we look back on our doings of the last fifteen years, I think it will be acknowledged that the greatest jobs perpetrated were of a sectional character, that our fiercest contests were about local matters that stirred up sectional jealousies and indignation to their deepest depth." Confederation would end sectional discord between Upper and Lower Canada. Questions that used to excite sectional hostility and jealousy were now removed from the common legislature to the legislatures of the provinces. No man need be debarred from a public career because his opinions, popular in his own province, were unpopular in another. Among the local questions that had disturbed the peace of the common legislature, he mentioned the construction of local works, the endowment of ecclesiastical institutions, the granting of money for sectarian purposes, and interference with school systems.

He advocated confederation because it would

convert a group of inconsiderable colonies into a powerful union of four million people, with a revenue of thirteen million dollars, a trade of one hundred and thirty-seven million five hundred thousand dollars, rich natural resources and important industries. Among these he dwelt at length on the shipping of the Maritime Provinces. These were the days of the wooden ship, and Mr. Brown claimed that federated Canada would be the third maritime power in the world. Confederation would give a new impetus to immigration and settlement. Communication with the west would be opened up, as soon as the state of the finances permitted. Negotiations had been carried on with the imperial government for the addition of the North-West Territories to Canada; and when those fertile plains were opened for settlement, there would be an immense addition to the products of Canada. The establishment of free trade between Canada and the Maritime Provinces would be some compensation for the loss of trade with the United States, should the reciprocity treaty be abrogated. It would enable the country to assume a larger share of the burden of defence. The time had come when the people of the United Kingdom would insist on a reconsideration of the military relations of Canada to the empire, and that demand was just. Union would facilitate common defence. "The Civil War in the neighbouring republic—the possibility of war between Great Britain and the United States; the

threatened repeal of the reciprocity treaty; the threatened abolition of the American bonding system for goods in transit to and from these provinces; the unsettled position of the Hudson's Bay Company; the changed feeling of England as to the relations of Canada to the parent state; all combine at this moment to arrest the earnest attention to the gravity of the situation and unite us all in one vigorous effort to meet the emergency like men."

A strong speech against confederation was made by Dorion, an old friend of Brown, a staunch Liberal, and a representative French-Canadian. He declared that he had seen no ground for changing his opinion on two points—the substitution of an Upper Chamber, nominated by the Crown, for an elective body; and the construction of the Intercolonial Railway, which he, with other Liberals, had always opposed. He had always admitted that representation by population was a just principle; and in 1856 he had suggested, in the legislature, the substitution of a federal for a legislative union of the Canadas; or failing this, representation by population, with such checks and guarantees as would secure local rights and interests, and preserve to Lower Canada its cherished institutions. When the Brown-Dorion government was formed, he had proposed a federation of the Canadas, but with the distinct understanding that he would not attempt to carry such a measure without the consent of a majority of the people of Lower Canada. From the

document issued by the Lower Canadian Liberals in 1859, he quoted a passage in which it was laid down that the powers given to the central government should be only those that were essential, and that the local powers should be as ample as possible. "All that belongs to matters of a purely local character, such as education, the administration of justice, the militia, the laws relating to property, police, etc., ought to be referred to the local governments, whose powers ought generally to extend to all subjects which would not be given to the general government." The vesting of residuary powers in the provinces was an important difference between this and the scheme of confederation; but the point most dwelt upon by Dorion was the inclusion of the Maritime Provinces, which he strongly opposed.

Dorion denied that the difficulty about representation was the source of the movement for confederation. He contended that the agitation for representation by population had died out, and that the real authors of confederation were the owners of the Grand Trunk Railway Company, who stood to gain by the construction of the Intercolonial. "The Taché-Macdonald government were defeated because the House condemned them for taking without authority one hundred thousand dollars out of the public chest for the Grand Trunk Railway, at a time when there had not been a party vote on representation by population for one or

two sessions." He declared that Macdonald had, in Brown's committee of 1864, voted against confederation, and that he and his colleagues adopted the scheme simply to enable them to remain in office. Dorion also criticized adversely the change in the constitution of the Upper Chamber, from the elective to the nominative system. The Conservative instincts of Macdonald and Cartier, he said, led them to strengthen the power of the Crown at the expense of the people, and this constitution was a specimen of their handiwork. "With a governor-general appointed by the Crown; with local governors also appointed by the Crown; with legislative councils in the general legislature, and in all the provinces, nominated by the Crown, we shall have the most illiberal constitution ever heard of in any government where constitutional government prevails."

He objected to the power vested in the governor-general-in-council to veto the acts of local legislatures. His expectation was that a minority in the local legislature might appeal to their party friends at Ottawa to veto laws which they disliked, and that thus there would be constant interference, agitation and strife between the central and the local authorities. He suspected that the intention was ultimately to change the federal union to a legislative union. The scheme of confederation was being carried without submission to the people. What would prevent the change from a federal to a legis-

lative union from being accomplished in a similar way? To this the people of Lower Canada would not submit. "A million of inhabitants may seem a small affair to the mind of a philosopher who sits down to write out a constitution. He may think it would be better that there should be but one religion, one language and one system of laws; and he goes to work to frame institutions that will bring all to that desirable state; but I can tell the honourable gentleman that the history of every country goes to show that not even by the power of the sword can such changes be accomplished."

With some exaggeration Mr. Dorion struck at real faults in the scheme of confederation. The contention that the plan ought to have been submitted to the people is difficult to meet except upon the plea of necessity, or the plea that the end justifies the means. There was assuredly no warrant for depriving the people of the power of electing the second chamber; and the new method, appointment by the government of the day, has been as unsatisfactory in practice as it was unsound in principle. The federal veto on provincial laws has not been used to the extent that Dorion feared. But when we consider how partisan considerations have governed appointments to the senate, we can scarcely say that there was no ground for the fear that the power of disallowance would be similarly abused. Nor can we say that Mr. Dorion was needlessly anxious about provincial rights, when

we remember how persistently these have been attacked, and what strength, skill and resolution have been required to defend them.

CHAPTER XVIII

THE MISSION TO ENGLAND

A NEW turn was given to the debate early in March by the defeat of the New Brunswick government in a general election, which meant a defeat for confederation, and by the arrival of news of an important debate in the House of Lords on the defences of Canada. The situation suddenly became critical. That part of the confederation scheme which related to the Maritime Provinces was in grave danger of failure. At the same time the long-standing controversy between the imperial and colonial authorities as to the defence of Canada had come to a head. The two subjects were intimately connected. The British government had been led to believe that if confederation were accomplished, the defensive power of Canada would be much increased, and the new union would be ready to assume larger obligations. From this time the tone of the debate is entirely changed. It ceases to be a philosophic deliberation of the merits of the new scheme. A note of urgency and anxiety is found in the ministerial speeches; the previous question is moved, and the proceedings hurried to a close, amid angry protests from the Opposition.

Mr. Brown wrote on March 5th: "We are going

to have a great scene in the House to-day. . . The government of New Brunswick appealed to the people on confederation by a general election, and have got beaten. This puts a serious obstacle in the way of our scheme, and we mean to act promptly and decidedly upon it. At three o'clock we are to announce the necessity of carrying the resolutions at once, sending home a deputation to England, and proroguing parliament without any unnecessary delay—say in a week."

The announcement was made to the House by Attorney-General Macdonald, who laid much stress on the disappointment that would be occasioned in England by the abandonment of a scheme by which Canadian colonies should cease to be a source of embarrassment, and become a source of strength. The question of confederation was intimately connected with the question of defence, and that was a question of the most imminent necessity. The provincial government had been in continued correspondence with the home government as to defence "against every hostile pressure, from whatever source it may come."

A lively debate ensued. John Sandfield Macdonald said that the defeat of the New Brunswick government meant the defeat of the larger scheme of confederation, unless it was intended that the people should be bribed into acquiescence or bullied into submission. "The Hon. Mr. Tilley and his followers are routed, horse and foot, by the honest people

of the province, scouted by those whose interests he had betrayed, and whose behests he had neglected; and I think his fate ought to be a warning to those who adopted this scheme without authority, and who ask the House to ratify it *en bloc*, without seeking to obtain the sanction of the people." Later on he charged the ministers with the intention of manufacturing an entirely new bill, obtaining the sanction of the British government, and forcing it on the Canadian people, as was done in 1840.

This charge was hotly resented by Brown, and it drew from John A. Macdonald a more explicit statement of the intentions of the government. They would, if the legislature adopted the confederation resolutions, proceed to England, inform the imperial government of what had passed in Canada and New Brunswick, and take counsel with that government as to the affairs of Canada, especially in regard to defence and the reciprocity treaty. The legislature would then be called together again forthwith, the report of the conferences in England submitted, and the business relating to confederation completed.

On the following day Macdonald made another announcement, referring to a debate in the House of Lords on February 20th, which he regarded as of the utmost importance. A report made by a Colonel Jervois on the defences of Canada had been published, and the publication, exposing

the extreme weakness of Canada, was regarded as an official indiscretion. It asserted that under the arrangements then existing British and Canadian forces together could not defend the colony. Lord Lyveden brought the question up in the House of Lords, and dwelt upon the gravity of the situation created by the defencelessness of Canada and by the hostility of the United States. He held that Great Britain must do one of two things: withdraw her troops and abandon the country altogether, or defend it with the full power of the empire. It was folly to send troops out in driblets, and spend money in the same way. The Earl de Grey and Ripon, replying for the government, said that Jervois' report contained nothing that was not previously known about the weakness of Canada. He explained the proposed arrangement by which the imperial government was to fortify Quebec at a cost of two hundred thousand pounds, and Canada would undertake the defence of Montreal and the West.[1]

Commenting on a report of this discussion, Mr. Macdonald said there had been negotiations between the two governments, and that he hoped these would result in full provision for the defence of Canada, both east and west. It was of the utmost importance that Canada should be represented

[1] Hansard, House of Lords, February 20th, 1865. See also a long and important debate in the British House of Commons, March 13th, 1865.

in England at this juncture. In order to expedite the debate by shutting out amendments, he moved the previous question.

Macdonald's motion provoked charges of burking free discussion, and counter-charges of obstruction, want of patriotism and inclinations towards annexation. The debate lost its academic calm and became acrimonious. Holton's motion for an adjournment, for the purpose of obtaining further information as to the scheme, was ruled out of order. The same fate befell Dorion's motion for an adjournment of the debate and an appeal to the people, on the ground that it involved fundamental changes in the political institutions and political relations of the province; changes not contemplated at the last general election.

On March 12th the main motion adopting the resolutions of the Quebec conference was carried by ninety-one to thirty-three. On the following day an amendment similar to Dorion's, for an appeal to the people, was moved by the Hon. John Hillyard Cameron, of Peel, seconded by Matthew Crooks Cameron, of North Ontario. Undoubtedly the argument for submission to the people was strong, and was hardly met by Brown's vigorous speech in reply. But the overwhelming opinion of the House was against delay, and on March 13th the discussion came to an end.

The prospects for the inclusion of the Maritime Provinces were now poor. Newfoundland and

Prince Edward Island withdrew. A strong feeling against confederation was arising in Nova Scotia, and it was proposed there to return to the original idea of a separate maritime union. It was decided to ask the aid of the British government in overcoming the hesitation of the Maritime Provinces. The British authorities were pressing Canada to assume increased obligations as to defence. Defence depended on confederation, and England, by exercising some friendly pressure on New Brunswick, might promote both objects.

The committee appointed to confer with the British government was composed of Macdonald, Brown, Cartier and Galt. They met in England a committee of the imperial cabinet, Gladstone, Cardwell, the Duke of Somerset and Earl de Grey and Ripon. An agreement was arrived at as to defence. Canada would undertake works of defence at and west of Montreal, and maintain a certain militia force; Great Britain would complete fortifications at Quebec, provide the whole armament and guarantee a loan for the sum necessary to construct the works undertaken by Canada, and in case of war would defend every portion of Canada with all the resources of the empire. An agreement was made as to the acquisition of the Hudson Bay Territory by Canada, and as to the influence to be brought to bear on the Maritime Provinces. "The idea of coercing the Maritime Provinces into the measure was never for a moment entertained." The

end sought was to impress upon them the grave responsibility of thwarting a measure so pregnant with future prosperity to British America.

In spite of the mild language used in regard to New Brunswick, the fact that its consent was a vital part of the whole scheme must have been an incentive to heroic measures, and these were taken.

One of the causes of the defeat of the confederation government of New Brunswick had been the active hostility of the lieutenant-governor, Mr. Arthur Hamilton Gordon, son of the Earl of Aberdeen. He was strongly opposed to the change, and is believed to have gone to the limit of his authority in aiding and encouraging its opponents in the election of 1865. Soon afterwards he visited England, and it is believed that he was sent for by the home authorities and was taken to task for his conduct, and instructed to assist in carrying out confederation. A despatch from Cardwell, secretary of state for the colonies, to Governor Gordon, expressed the strong and deliberate opinion of Her Majesty's government in favour of a union of all the North American colonies.[1]

The governor carried out his instructions with the zeal of a convert, showed the despatch to the head of his government, set about converting him also, and believed he had been partly successful. The substance of the despatch was inserted in the

[1] Journals Canada, 1865, 2nd Session, pp. 8-15.

speech from the throne, when the legislature met on March 8th, 1866. The legislative council adopted an address asking for imperial legislation to unite the British North American colonies. The governor, without waiting for the action of the assembly, made a reply to the council, expressing pleasure at their address, and declaring that he would transmit it to the secretary of state for the colonies. Thereupon the Smith ministry resigned, contending that they ought to have been consulted about the reply, that the council, not having been elected by the people, had no authority to ask the imperial parliament to pass a measure which the people of New Brunswick had expressly rejected at the polls. A protest in similar terms might have been made in the legislative assembly, but the opportunity was not given. A government favourable to confederation was formed under Peter Mitchell, with Tilley as his chief lieutenant, and the legislature was dissolved.

A threatened Fenian invasion helped to turn the tide of public opinion, and the confederate ministry was returned with a large majority. That result, however desirable, did not sanctify the means taken to bring about a verdict for confederation, which could hardly have been more arbitrary.

CHAPTER XIX

BROWN LEAVES THE COALITION

THE series of events which gradually drew Mr. Brown out of the coalition began with the death of Sir Etienne P. Taché on July 30th, 1865. By his age, his long experience, and a certain mild benignity of disposition, Taché was admirably fitted to be the dean of the coalition and the arbiter between its elements. He had served in Reform and Conservative governments, but without incurring the reproach of overweening love of office. With his departure that of Brown became only a matter of time. To work with Macdonald as an equal was a sufficiently disagreeable duty; to work under him, considering the personal relations of the two men, would have been humiliating. Putting aside the question of where the blame for the long-standing feud lay, it was inevitable that the association should be temporary and brief. On August 3rd the governer-general asked Mr. Macdonald to form an administration. Mr. Macdonald consented, obtained the assent of Mr. Cartier and consulted Mr. Brown. I quote from an authorized memorandum of the conversation. "Mr. Brown replied that he was quite prepared to enter into arrangements for the continuance of the government in the same position

as it occupied previous to the death of Sir Etienne P. Taché; but that the proposal now made involved a grave departure from that position. The government, heretofore, had been a coalition of three political parties, each represented by an active party leader, but all acting under one chief, who had ceased to be actuated by strong party feelings or personal ambitions, and who was well fitted to give confidence to all the three sections of the coalition that the conditions which united them would be carried out in good faith to the very letter. Mr. Macdonald, Mr. Cartier and himself [Mr. Brown] were, on the contrary, regarded as party leaders, with party feelings and aspirations, and to place any one of them in an attitude of superiority to the others, with the vast advantage of the premiership, would, in the public mind, lessen the security of good faith, and seriously endanger the existence of the coalition. It would be an entire change of the situation. Whichever of the three was so preferred, the act would amount to an abandonment of the coalition basis, and a reconstruction of the government on party lines under a party leader." When the coalition was formed, the Liberals were in a majority in the legislature; for reasons of State they had relinquished their party advantage, and a government was formed in which the Conservatives had nine members and the Liberals three. In what light would the Liberal party regard this new proposition? Mr. Brown suggested that an invitation

be extended to some gentleman of good position in the legislative council, under whom all parties could act with confidence, as successor to Colonel Taché. So far as to the party. Speaking, however, for himself alone, Mr. Brown said he occupied the same position as in 1864. He stood prepared to give outside the ministry a frank and earnest support to any ministry that might be formed for the purpose of carrying out confederation.

Mr. Macdonald replied that he had no personal feeling as to the premiership, and would readily stand aside; and he suggested the name of Mr. Cartier, as leader of the French-Canadians. Mr. Brown said that it would be necessary for him to consult with his political friends. Sir Narcisse F. Belleau, a member of the executive council, was then proposed by Mr. Macdonald, and accepted by Mr. Brown, on condition that the policy of confederation should be stated in precise terms. Sir Narcisse Belleau became nominal prime minister of Canada, and the difficulty was tided over for a few months.

The arrangement, however, was a mere makeshift. The objections set forth by Brown to Macdonald's assuming the title of leader applied with equal force to his assuming the leadership in fact, as he necessarily did under Sir Narcisse Belleau; the discussion over this point, though couched in language of diplomatic courtesy, must have irritated both parties, and their relations grew steadily worse.

The immediate and assigned cause of the rupture was a disagreement in regard to negotiations for the renewal of the reciprocity treaty. It is admitted that it was only in part the real cause, and would not have severed the relations between men who were personally and politically in sympathy.

Mr. Brown had taken a deep interest in the subject of reciprocity. In 1863 he was in communication with John Sandfield Macdonald, then premier of Canada, and Luther Holton, minister of finance. He dwelt on the importance of opening communication with the American government during the administration of Lincoln, whom he regarded as favourable to the renewal of the treaty. Seward, Lincoln's secretary of state, suggested that Canada should have an agent at Washington, with whom he and Lord Lyons, the British ambassador, could confer on Canadian matters. The premier asked Brown to go, saying that all his colleagues were agreed upon his eminent fitness for the mission. Brown declined the mission, contending that Mr. Holton, besides being fully qualified, was, by virtue of his official position as minister of finance, the proper person to represent Canada. He kept urging the importance of taking action early, before the American movement against the renewal of the treaty could gather headway. But neither the Macdonald-Sicotte government nor its successor lived long enough to take action, and the opportunity was lost. The coalition government was fully em-

ployed with other matters during 1864, and it was not until the spring of 1865 that the matter of reciprocity was taken up. In the summer of that year the imperial government authorized the formation of a confederate council on reciprocity, consisting of representation from Canada and the other North American colonies, and presided over by the governor-general. Brown and Galt were the representatives of Canada on the council.

Mr. Brown was in the Maritime Provinces in November, 1865, on government business. On his return to Toronto he was surprised to read in American papers a statement that Mr. Galt and Mr. Howland were negotiating with the Committee of Ways and Means at Washington. Explanations were given by Galt at a meeting of the cabinet at Ottawa on December 17th. Seward had told him that the treaty could not be renewed, but that something might be done by reciprocal legislation. After some demur, Mr. Galt went on to discuss the matter on that basis. He suggested the free exchange of natural products, and a designated list of manufactures. The customs duties on foreign goods were to be assimilated as far as possible. Inland waters and canals might be used in common, and maintained at the joint expense of the two countries. Mr. Galt followed up his narrative by proposing that a minute of council be adopted, ratifying what he had done, and authorizing him to proceed to Washington and continue the negotiations.

The discussion that followed lasted several days. Mr. Brown objected strongly to the proceeding. He declared that "Mr. Galt had flung at the heads of the Americans every concession that we had in our power to make, and some that we certainly could not make, so that our case was foreclosed before the commission was opened." He objected still more strongly to the plan of reciprocal legislation, which would keep the people of Canada "dangling from year to year on the legislation of the American congress, looking to Washington instead of to Ottawa as the controller of their commerce and prosperity." The scheme was admirably designed by the Americans to promote annexation. Before each congress the United States press would contain articles threatening ruin to Canadian trade. The Maritime Provinces would take offence at being ignored, and confederation as well as reciprocity might be lost. His own proposal was to treat Mr. Galt's proceedings at Washington as unofficial, call the confederate council, and begin anew to "make a dead set to have this reciprocal legislation idea upset before proceeding with the discussion."

Galt at length suggested a compromise. His proceedings at Washington were to be treated as unofficial, and no order-in-council passed. Galt and Howland were to be sent to Washington to obtain a treaty if possible, and if not to learn what terms could be arranged, and report to the government.

Brown regarded this motion as intended to re-

move him from the confederate council, and substitute Mr. Howland, and said so; but he declared that he would accept the compromise nevertheless. It appeared, however, that there had been a misunderstanding as to the recording of a minute of the proceedings. The first minute was withdrawn; but as Mr. Brown considered that the second minute still sanctioned the idea of reciprocal legislation, he refused to sign it, and decided to place his resignation in the hands of the premier, and to wait upon the governor-general. After hearing the explanation, His Excellency said: "Then, Mr. Brown, I am called upon to decide between your policy and that of the other members of the government?" Mr. Brown replied, "Yes, sir, and if I am allowed to give advice in the matter, I should say that the government ought to be sustained, though the decision is against myself. I consider the great question of confederation as of far greater consequence to the country than reciprocity negotiations. My resignation may aid in preventing their policy on the reciprocity question from being carried out, or at least call forth a full expression of opinion on the subject, and the government should be sustained, if wrong in this, for the sake of confederation."

The debate in council had occupied several days, and had evidently aroused strong feelings. Undoubtedly Mr. Brown's decision was affected by the affront that he considered had been put upon him by virtually removing him from the confederate

council and sending Mr. Howland instead of himself to Washington as the colleague of Mr. Galt. He disapproved on public grounds of the policy of the government, and he resented the manner in which he had been ignored throughout the transaction. On the day after the rupture Mr. Cartier wrote Mr. Brown asking him whether he could reconsider his resignation. Mr. Brown replied, "I have received your kind note, and think it right to state frankly at once that the step I have taken cannot be revoked. The interests involved are too great. I think a very great blunder has been committed in a matter involving the most important interests of the country, and that the order-in-council you have passed endorses that blunder and authorizes persistence in it. . . . I confess I was much annoyed at the personal affront offered me, but that feeling has passed away in view of the serious character of the matter at issue, which casts all personal feeling aside."

If it were necessary to seek for justification of Mr. Brown's action in leaving the ministry at this time, it might be found either in his disagreement with the government on the question of policy, or in the treatment accorded to him by his colleagues. Sandfield Macdonald and his colleagues had on a former occasion recognized Mr. Brown's eminent fitness to represent Canada in the negotiations at Washington, not only because of his thorough acquaintance with the subject, but because of his

steadily maintained attitude of friendship for the North. He was a member of the confederate council on reciprocity. His position in the ministry was not that of a subordinate, but of the representative of a powerful party. In resenting the manner in which his position was ignored, he does not seem to have exceeded the bounds of proper self-assertion. However, this controversy assumes less importance if it is recognized that the rupture was inevitable. The precise time or occasion is of less importance than the force which was always and under all circumstances operating to draw Mr. Brown away from an association injurious to himself and to Liberalism, in its broad sense as well as in its party sense, and to his influence as a public man. This had better be considered in another place.

CHAPTER XX

CONFEDERATION AND THE PARTIES

WE are to consider now the long-vexed question of the connection of Mr. Brown with the coalition of 1864. Ought he to have entered the coalition government? Having entered it, was he justified in leaving it in 1865? Holton and Dorion told him that by his action in 1864, he had sacrificed his own party interests to those of John A. Macdonald; that Macdonald was in serious political difficulty, and had been defeated in the legislature; that he seized upon Brown's suggestion merely as a means of keeping himself in office; that for the sake of office he accepted the idea of confederation, after having voted against it in Brown's committee. A most wise and faithful friend, Alexander Mackenzie, thought that Reformers should accept no representation in the cabinet, but that they should give confederation an outside support. That Macdonald and his party were immensely benefitted by Brown's action, there can be no doubt. For several years they had either been in Opposition, or in office under a most precarious tenure, depending entirely upon a majority from Lower Canada. By Brown's action they were suddenly invested with an overwhelming majority, and

they had an interrupted lease of power for the nine years between the coalition and the Pacific Scandal. Admitting that the interest of the country warranted this sacrifice of the interests of the Liberal party, we have still to consider whether it was wise for Mr. Brown to enter the ministry, and especially to enter it on the conditions that existed. The Lower Canadian Liberals were not represented, partly because Dorion and Holton held back, and partly because of the prejudice of Taché and Cartier against the Rouges; and this exclusion was a serious defect in a ministry supposed to be formed on a broad and patriotic basis. The result was, that while the Liberals were in a majority in the legislature, they had only three representatives in a ministry of twelve. Such a government, with its dominant Conservative section led by a master in the handling of political combinations, was bound to lose its character of a coalition, and become Conservative out and out.

A broader question is involved than that of the mere party advantage obtained by Macdonald and his party in the retention of power and patronage. There was grave danger to the essential principles of Liberalism, of which Brown was the appointed guardian. Holton put this in a remarkable way during the debate on confederation. It was at the time when Macdonald had moved the previous question, when the coalition government was hurrying the debate to a conclusion, in the face of in-

dignant protests and demands that the scheme should be submitted to the people. Holton told Brown that he had destroyed the Liberal party. Henceforth its members would be known as those who once ranged themselves together, in Upper and Lower Canada, under the Liberal banner. Then followed this remarkable appeal to his old friend: "Most of us remember—those of us who have been for a few years in public life in this country must remember—a very striking speech delivered by the honourable member for South Oxford in Toronto in the session of 1856 or 1857, in which he described the path of the attorney-general [Macdonald] as studded all along by the gravestones of his slaughtered colleagues. Well, there are not wanting those who think they can descry, in the not very remote distance, a yawning grave waiting for the noblest victim of them all. And I very much fear that unless the honourable gentleman has the courage to assert his own original strength—and he has great strength—and to discard the blandishments and the sweets of office, and to plant himself where he stood formerly, in the affections and confidence of the people of this country, as the foremost defender of the rights of the people, as the foremost champion of the privileges of a free parliament—unless he hastens to do that, I very much fear that he too may fall a victim, the noblest victim of them all, to the arts, if not the arms of the fell destroyer."

There was a little humorous exaggeration in the personal references to Macdonald, for Holton and he were on friendly terms. But there was also matter for serious thought in his words. Though Macdonald had outgrown the fossil Toryism that opposed responsible government, he was essentially Conservative; and there was something not democratic in his habit of dealing with individuals rather than with people in the mass, and of accomplishing his ends by private letters and interviews, and by other forms of personal influence, rather than by the public advocacy of causes. Association with him was injurious to men of essentially Liberal and democratic tendencies, and subordination was fatal, if not to their usefulness, at least to their Liberal ideals. Macdougall and Howland remained in the ministry until confederation was achieved, and found reasons for remaining there afterwards. At the Reform convention of 1867, when the relation of the Liberal party to the so-called coalition was considered, they defended their position with skill and force, but the association of one with Macdonald was very brief, and of the other very unhappy. Mr. Howland was not a very keen politician, and a year after confederation was accomplished he accepted the position of lieutenant-governor of Ontario. Mr. Macdougall had an unsatisfactory career as a minister, with an unhappy termination. He was clearly out of his element. Mr. Tilley was described as a Liberal, but there

was nothing to distinguish him from his Conservative colleagues in his methods or his utterances, and he became the champion of the essentially Conservative policy of protection.

But the most notable example of the truth of Holton's words and the soundness of his advice was Joseph Howe. Howe was in Nova Scotia "the foremost defender of the rights of people, the foremost champion of the privileges of free parliaments." He had opposed the inclusion of Nova Scotia on the solid ground that it was accomplished by arbitrary means. At length he bowed to the inevitable. In ceasing to encourage a useless and dangerous agitation he stood on patriotic ground. But in an evil hour he was persuaded to seal his submission by joining the Macdonald government, and thenceforth his influence was at an end. His biographer says that Howe's four years in Sir John Macdonald's cabinet are the least glorious of his whole career. "Howe had been accustomed all his life to lead and control events. He found himself a member of a government of which Sir John Macdonald was the supreme head, and of a cast of mind totally different from his own. Sir John Macdonald was a shrewd political manager, an opportunist whose unfailing judgment led him unerringly to pursue the course most likely to succeed each hour, each day, each year. Howe had the genius of a bold Reformer, a courageous and creative type of mind, who thought in continents,

dreamed dreams and conceived great ideas. Sir John Macdonald busied himself with what concerned the immediate interests of the hour in which he was then living, and yet Sir John Macdonald was a leader who permitted no insubordination. Sir Georges Cartier, a man not to be named in the same breath with Howe as a statesman, was, nevertheless, a thousand times of more moment and concern with his band of Bleu followers in the House of Commons, than a dozen Howes, and the consequence is that we find for four years the great old man playing second fiddle to his inferiors, and cutting a far from heroic figure in the arena."[1] What Holton said by way of warning to Brown was realized in the case of Howe. He was "the noblest victim of them all."

From the point of view of Liberalism and of his influence as a public man, Brown did not leave the ministry a moment too soon; and there is much to be said in favour of Mackenzie's view that he ought to have refused to enter the coalition at all, and confined himself to giving his general support to confederation. By this means he would not have been responsible for the methods by which the new constitution was brought into effect, methods that were in many respects repugnant to those essential principles of Liberalism of which Brown had been one of the foremost champions. At almost every stage in the proceedings there was a violation

[1] Longley's *Joseph Howe*, "Makers of Canada" series, pp. 228, 229.

of those rights of self-government which had been so hardly won by Canada, Nova Scotia and New Brunswick. The Quebec conference was a meeting of persons whose authority, so far as it was derived from the people, was to govern the provinces under their established constitutions, not to make a new constitution. Its deliberations were secret. It proceeded, without a mandate from the people, to create a new governing body, whose powers were obtained at the expense of those of the provinces. With the same lack of popular authority, it declared that the provinces should have only those powers which were expressly designated, and that the reserve of power should be in the central governing body. Had this body been created for the Canadas alone, this proceeding might have been justified, for they were already joined in a legislative union, though by practice and consent some features of federalism prevailed. But Nova Scotia and New Brunswick were separate, self-governing communities, and it was for them, not for the Quebec conference, to say what powers they would grant and what powers they would retain. Again the people of Canada had declared that the second chamber should be elected, not appointed by the Crown. The Quebec conference, without consulting the people of Canada, reverted to the discarded system of nomination, and added the senate to the vast body of patronage at the disposal of the federal government. The constitu-

tion adopted by this body was not, except in the case of New Brunswick, submitted to the people, and it can hardly be said that it was freely debated in the parliament of Canada, for it was declared that it was in the nature of a treaty, and must be accepted or rejected as a whole. In the midst of this debate the people of New Brunswick passed upon the scheme in a general election, and condemned it in the most decisive and explicit way. The British government was then induced to bring pressure to bear upon the province; and while it was contended that this pressure was only in the form of friendly advice it was otherwise interpreted by the governor, who strained his powers to compel the ministry to act in direct contravention of its mandate from the people, and when it resisted, forced it out of office. It is true that in a subsequent election this decision was reversed; but that is not a justification for the means adopted to bring about this result. It is no exaggeration to say that Nova Scotia was forced into the union against the express desire of a large majority of its people. There are arguments by which these proceedings may be defended, but they are not arguments that lie in the mouth of a Liberal. And if we say that the confederation, in spite of these taints in its origin, has worked well and has solved the difficulties of Canada, we use an argument which might justify the forcible annexation of a country by a powerful neighbour.

Again, there was much force in Dorion's contention that the new constitution was an illiberal constitution, increasing those powers of the executive which were already too large. To the inordinate strength of the executive, under the delusive name of the Crown, may be traced many of the worst evils of Canadian politics: the abuse of the prerogative of dissolution, the delay in holding bye-elections, the gerrymandering of the constituencies by a parliament registering the decree of a government. To these powers of the government the Confederation Act added that of filling one branch of the legislature with its own nominees. By the power of disallowance, by the equivocal language used in regard to education, and in regard to the creation of new provinces, pretexts were furnished for federal interference in local affairs. But for the resolute opposition of Mowat and his colleagues, the subordination of the provinces to the central authority would have gone very far towards realizing Macdonald's ideal of a legislative union; and recent events have shown that the danger of centralization is by no means at an end.

It was a true, liberal and patriotic impulse that induced Brown to offer his aid in breaking the dead-lock of 1864. He desired that Upper Canada should be fairly represented in parliament, and should have freedom to manage its local affairs. He desired that the Maritime Provinces and the North-West should, in the course of time, be

brought in on similar terms of freedom. But by joining the coalition he became a participant in a different course of procedure; and if we give him a large, perhaps the largest share, of the credit for the ultimate benefits of confederation, we cannot divest him of responsibility for the methods by which it was brought about, so long, at least, as he remained a member of the government.

In the year and a half that elapsed between his withdrawal from the government and the first general election under the new constitution, he had a somewhat difficult part to play. He had to aid in the work of carrying confederation, and at the same time to aid in the work of re-organizing the Liberal party, which had been temporarily divided and weakened by the new issue introduced into politics. In the Reform convention of 1867 the attitude of the party towards confederation was considered. It was resolved that "while the new constitution contained obvious defects, it was, on the whole, based upon equitable principles and should be accepted with the determination to work it loyally and patiently, and to provide such amendments as experience from year to year may prove to be expedient." It was declared that coalitions of opposing political parties for ordinary administrative purposes resulted in corruption, extravagance and the abandonment of principle; that the coalition of 1864 could be justified only on the ground of imperious necessity, as the only available means of

obtaining just representation for Upper Canada, and should come to an end when that object was attained; and that the temporary alliance of the Reform and Conservative parties should cease. Howland and Macdougall, who had decided to remain in the ministry, strove to maintain that it was a true coalition, and that the old issues that divided the parties were at an end; and their bearing before a hostile audience was tactful and courageous. But Brown and his friends carried all before them.

Brown argued strongly against the proposal to turn the coalition formed for confederation into a coalition for ordinary administrative purposes; and in a passage of unusual fervour he asked whether his Reform friends were to be subjected to the humiliation of following in the train of John A. Macdonald,

It is difficult to understand how so chimerical a notion as a non-party government led by Macdonald could have been entertained by practical politicians. A permanent position in a Macdonald ministry would have been out of the question for Brown, not only because of his standing as a public man, but because of his control of the *Globe*, which under such an arrangement would have been reduced to the position of an organ of the Conservative government. There were also all the elements of a powerful Liberal party, which soon after confederation rallied its forces and overthrew Sir John

Macdonald's government at Ottawa, and the coalition government he had established at Toronto. Giving Macdougall every credit for good intentions, it must be admitted that he committed an error in casting in his political fortunes with Sir John Macdonald, and that both he and Joseph Howe would have found more freedom, more scope for their energies and a wider field of usefulness, in fighting by the side of Mackenzie and Blake.

CHAPTER XXI

CANADA AND THE GREAT WEST

VERY soon after his arrival in Canada, Mr. Brown became deeply interested in the North-West Territories. He was thrown into contact with men who knew the value of the country and desired to see it opened for settlement. One of these was Robert Baldwin Sullivan, who, during the struggle for responsible government, wrote a series of brilliant letters over the signature of "Legion" advocating that principle, and who was for a time provincial secretary in the Baldwin-Lafontaine government. In 1847, Mr. Sullivan delivered, in the Mechanics' Institute, Toronto, an address on the North-West Territories, which was published in full in the *Globe*. The Oregon settlement had recently been made, and the great westward trek of the Americans was in progress. Sullivan uttered the warning that the Americans would occupy and become masters of the British western territory, and outflank Canada, unless steps were taken to settle and develop it by British subjects. There was at this time much misconception of the character of the country, and one is surprised by the very accurate knowledge shown by Mr. Sullivan in regard to the resources of the country, its coal measures as well as its wheat fields.

Mr. Brown also obtained much information and assistance from Mr. Isbester, a "native of the country, who by his energy, ability and intelligence had raised himself from the position of a successful scholar at one of the schools of the settlement to that of a graduate of one of the British universities, and to a teacher of considerable rank. This gentleman had succeeded in inducing prominent members of the House of Commons to interest themselves in the subject of appeals which, through him, were constantly being made against the injustice and persecution which the colonists of the Red River Settlement were suffering."[1]

Mr. Brown said that his attention was first drawn to the subject by a deputation sent to England by the people of the Red River Settlement to complain that the country was ill-governed by the Hudson's Bay Company, and to pray that the territory might be thrown open for settlement. "The movement," said Mr. Brown, "was well received by the most prominent statesmen of Britain. The absurdity of so vast a country remaining in the hands of a trading company was readily admitted; and I well remember that Mr. Gladstone then made an excellent speech in the Commons, as he has recently done, admitting that the charter of the company was not valid, and that the matter should be dealt with by legislation. But the difficulty that constantly presented itself was what should be done with the

[1] Gunn and Tuttle's *History of Manitoba*, p. 303.

territory were the charter broken up; what government should replace that of the company. The idea struck Mr. Isbester, a most able and enlightened member of the Red River deputation to London, that this difficulty would be met at once were Canada to step in and claim the right to the territory. Through a mutual friend, I was communicated with on the subject, and agreed to have the question thoroughly agitated before the expiry of the company's charter in 1859. I have since given the subject some study, and have on various occasions brought it before the public." Mr. Brown referred to the matter in his maiden speech in parliament in 1851, and in 1854 and again in 1856 he gave notice of motion for a committee of inquiry, but was interrupted by other business. In 1852, the *Globe* contained an article so remarkable in its knowledge of the country that it may be reproduced here in part.

"It is a remarkable circumstance that so little attention has been paid in Canada to the immense tract of country lying to the north of our boundary line, and known as the Hudson's Bay Company's Territory. There can be no question that the injurious and demoralizing sway of that company over a region of four millions of square miles, will, ere long, be brought to an end, and that the destinies of this immense country will be united with our own. It is unpardonable that civilization should be excluded from half a continent, on at best but

a doubtful right of ownership, for the benefit of two hundred and thirty-two shareholders.

"Our present purpose is not, however, with the validity of the Hudson's Bay Company's claim to the country north of the Canadian line—but to call attention to the value of that region, and the vast commercial importance to the country and especially to this section, which must, ere long, attach to it. The too general impression entertained is, that the territory in question is a frozen wilderness, incapable of cultivation and utterly unfit for colonization. This impression was undoubtedly set afloat, and has been maintained, for its own very evident purposes. So long as that opinion could be kept up, their charter was not likely to be disturbed. But light has been breaking in on the subject in spite of their efforts to keep it out. In a recent work by Mr. Edward Fitzgerald, it is stated that 'there is not a more favourable situation on the face of the earth for the employment of agricultural industry than the locality of the Red River.' Mr. Fitzgerald asserts that there are five hundred thousand square miles of soil, a great part of which is favourable for settlement and agriculture, and all so well supplied with game as to give great facility for colonization. Here is a field for Canadian enterprise.

"The distance between Fort William and the Red River Settlement is about five hundred miles, and there is said to be water communication by river and lake all the way. But westward, beyond the

Red River Settlement, there is said to be a magnificent country, through which the Saskatchewan River extends, and is navigable for boats and canoes through a course of one thousand four hundred miles.

"Much has been said of the extreme cold of the country, as indicated by the thermometer. It is well known, however, that it is not the degree but the character of the cold which renders it obnoxious to men, and the climate of this country is quite as agreeable, if not more so, than the best part of Canada. The height of the latitude gives no clue whatever to the degree of cold or to the nature of the climate.

"Let any one look at the map, and if he can fancy the tenth part that is affirmed of the wide region of country stretching westward to the Rocky Mountains, he may form some idea of the profitable commerce which will soon pass through Lake Superior. Independent of the hope that the high road to the Pacific may yet take this direction, there is a field for enterprise presented, sufficient to satiate the warmest imagination."

It was not, however, until the year 1856 that public attention was aroused to the importance of the subject. In the autumn of that year there was a series of letters in the *Globe* signed "Huron," drawing attention to the importance of the western country, attacking the administration of the Hudson's Bay Company, and suggesting that the in-

habitants, unless relieved, might seek to place the country under American government. In December 1856, there was a meeting of the Toronto Board of Trade at which addresses were delivered by Alan McDonnell and Captain Kennedy. Captain Kennedy said that he had lived for a quarter of a century in the territory in question, had eight or nine years before the meeting endeavoured to call attention to the country through the newspapers and had written a letter to Lord Elgin. He declared that the most important work before Canada was the settlement of two hundred and seventy-nine million acres of land lying west of the Lakes. The Board of Trade passed a resolution declaring that the claim of the Hudson's Bay Company to the exclusive right to trade in the country was injurious to the rights of the people of the territory and of British North America. The Board also petitioned the legislature to ascertain the rights of the Hudson's Bay Company, and to protect the interests of Canada. A few days afterwards the *Globe* said that the time had come to act, and thenceforward it carried on a vigorous campaign for the opening up of the territory to settlement and the establishment of communication with Canada.

During the year 1856, Mr. Brown addressed many meetings on the subject of the working of the union. He opposed the separation of the Canadas, proposed by some as a measure of relief for the grievances of Upper Canada. This would bring

Canada back to the day of small things; he advocated expansion to the westward. William Macdougall, then a member of the *Globe* staff, was also an enthusiastic advocate of the union of the North-West Territories with Canada. In an article reviewing the events of the year 1856, the *Globe* said: "This year will be remembered as that in which the public mind was first aroused to the necessity of uniting to Canada the great tract of British American territory lying to the north-west, then in the occupation of a great trading monopoly. The year 1856 has only seen the birth of this movement. Let us hope that 1857 will see it crowned with success."

In January 1857, a convention of Reformers in Toronto adopted a platform including free trade, uniform legislation for both provinces, representation by population, national and non-sectarian education, and the incorporation of the Hudson Bay Territory. It was resolved "that the country known as the Hudson Bay Territory ought no longer to be cut off from civilization, that it is the duty of the legislature and executive of Canada to open negotiations with the imperial government for the incorporation of the said territory as Canadian soil."

The *Globe's* proposals at this early date provoked the merriment of some of its contemporaries. The Niagara *Mail*, January 1857, said: "The Toronto *Globe* comes out with a new and remarkable platform, one of the planks of which is the annexation

of the frozen regions of the Hudson Bay Territory to Canada. Lord have mercy on us! Canada has already a stiff reputation for cold in the world, but it is unfeeling in the *Globe* to want to make it deserve the reproach." The *Globe* advised its contemporary not to commit itself hastily against the annexation of the North-West, "for it will assuredly be one of the strongest planks in our platform."

Another sceptic was the Montreal *Transcript*, which declared that the fertile spots in the territory were small and separated by immense distances, and described the Red River region as an oasis in the midst of a desert, "a vast treeless prairie on which scarcely a shrub is to be seen." The climate was unfavourable to the growth of grain. The summer, though warm enough, was too short in duration, so that even the few fertile spots could "with difficulty mature a small potato or cabbage." The subject seemed to be constantly in Brown's mind, and he referred to it frequently in public addresses. After the general election of 1857-8 a banquet was given at Belleville to celebrate the return of Mr. Wallbridge for Hastings. Mr. Brown there referred to a proposal to dissolve the union. He was for giving the union a fair trial. "Who can look at the map of this continent and mark the vast portion of it acknowledging British sovereignty, without feeling that union and not separation ought to be the foremost principle with British American statesmen? Who that examines the con-

dition of the several provinces which constitute British America, can fail to feel that with the people of Canada must mainly rest the noble task, at no distant date, of consolidating these provinces, aye, and of redeeming to civilization and peopling with new life the vast territories to our north, now so unworthily held by the Hudson's Bay Company. Who cannot see that Providence has entrusted to us the building up of a great northern people, fit to cope with our neighbours of the United States, and to advance step by step with them in the march of civilization? Sir, it is my fervent aspiration and belief that some here to-night may live to see the day when the British American flag shall proudly wave from Labrador to Vancouver Island and from our own Niagara to the shores of Hudson Bay. Look abroad over the world and tell me what country possesses the advantages, if she but uses them aright, for achieving such a future, as Canada enjoys—a fertile soil, a healthful climate, a hardy and frugal people, with great mineral resources, noble rivers, boundless forests. We have within our grasp all the elements of prosperity. We are free from the thousand time-honoured evils and abuses that afflict and retard the nations of the Old World. Not even our neighbours of the United States occupy an equal position of advantage, for we have not the canker-worm of domestic slavery to blight our tree of liberty. And greater than these, we are but commencing our career as a

people, our institutions have yet to be established. We are free to look abroad over the earth and study the lessons of wisdom taught by the history of older countries, and choose those systems and those laws and customs that experience has shown best for advancing the moral and material interests of the human family."[1]

As a member of the coalition of 1864, Brown had an opportunity to promote his long-cherished object of adding the North-West Territories to Canada. There had been some communication between the British and Canadian governments, and in November 1864, the latter government said that Canada was anxious to secure the settlement of the West and the establishment of local governments. As the Hudson's Bay Company worked under an English charter, it was for that government to extinguish its rights and give Canada a clear title. Canada would then annex, govern and open up communication with the territory. When Brown accompanied Macdonald, Cartier and Galt to England in 1865, this matter was taken up, and an agreement was arrived at which was reported to the Canadian legislature in the second session of 1865. The committee said that calling to mind the vital importance to Canada of having that great and fertile country open to Canadian enterprise and the tide of emigration into it directed through Canadian channels, remembering the danger of large

[1] Toronto *Globe*, January 25th, 1858.

grants of land passing into the hands of mere money corporations, and the risk that the recent discoveries of gold on the eastern slope of the Rocky Mountains might throw into the country large masses of settlers unaccustomed to British institutions, they arrived at the conclusion that the quickest solution of the question would be the best for Canada. They therefore proposed that the whole territory east of the Rockies and north of the American or Canadian line should be made over to Canada, subject to the rights of the Hudson's Bay Company; and that the compensation to be made by Canada to the company should be met by a loan guaranteed by the British government. To this, the imperial government consented.

The subsequent history of the acquisition of the West need not be told here. In this case, as in others, Brown was a pioneer in a work which others finished. But his services were generously acknowledged by Sir John Macdonald, who said in the House of Commons in 1875: "From the first time that he had entered parliament, the people of Canada looked forward to a western extension of territory, and from the time he was first a minister, in 1854, the question was brought up time and again, and pressed with great ability and force by the Hon. George Brown, who was then a prominent man in opposition to the government."

CHAPTER XXII

THE RECIPROCITY TREATY OF 1874

MR. BROWN'S position in regard to reciprocity has already been described. He set a high value upon the American market for Canadian products, and as early as 1863 he had urged the government of that day to prepare for the renewal of the treaty. He resigned from the coalition ministry, because, to use his own words, "I felt very strongly that though we in Canada derived great advantage from the treaty of 1854, the American people derived still greater advantage from it. I had no objection to that, and was quite ready to renew the old treaty, or even to extend it largely on fair terms of reciprocity. But I was not willing to ask for a renewal as a favour to Canada; I was not willing to offer special inducements for renewal without fair concessions in return ; I was not willing that the canals and inland waters of Canada should be made the joint property of the United States and Canada and be maintained at their joint expense ; I was not willing that the custom and excise duty of Canada should be assimilated to the prohibitory rates of the United States; and very especially was I unwilling that any such arrangement should be entered into with the United States, dependent on the frail tenure of re-

ciprocal legislation, repealable at any moment at the caprice of either party." Unless a fair treaty for a definite term of years could be obtained, he thought it better that each country should take its own course and that Canada should seek new channels of trade.

The negotiations of 1866 failed, mainly because under the American offer, "the most important provisions of the expiring treaty, relating to the free interchange of the products of the two countries, were entirely set aside, and the duties proposed to be levied were almost prohibitory in their character." The free-list offered by the United States reads like a diplomatic joke: "burr-millstones, rags, firewood, grindstones, plaster and gypsum." The real bar in this and subsequent negotiations, was the unwillingness of the Americans to enter into any kind of arrangement for extended trade. They did not want to break in upon their system of protection, and they did not set a high value on access to the Canadian market. In most of the negotiations, the Americans are found trying to drive the best possible bargain in regard to the Canadian fisheries and canals, and fighting shy of reciprocity in trade. They considered that a free exchange of natural products would be far more beneficial to Canada than to the United States. As time went on, they began to perceive the advantages of the Canadian market for American manufactures. But when this was apparent, Canadian feeling, which had

hitherto been unanimous for reciprocity, began to show a cleavage, which was sharply defined in the discussion preceding the election of 1891. Reciprocity in manufactures was opposed, because of the competition to which it would expose Canadian industries, and because it was difficult to arrange it without assimilating the duties of the two countries and discriminating against British imports into Canada.

In earlier years, however, even the inclusion of manufactures in the treaty of reciprocity was an inducement by which the Americans set little store. The rejected offer made by Canada in 1869, about the exact terms of which doubt exists, included a list of manufactures. In 1871 the American government declined to consider an offer to renew the treaty of 1854 in return for access to the deep sea fisheries of Canada. The Brown Treaty of 1874, which contained a list of manufactures, was rejected at Washington, while in Canada it was criticized as striking a blow at the infant manufactures of the country.

The Brown mission of 1874 was a direct result of the Treaty of Washington. Under that treaty there was to be an arbitration to determine the value of the American use of the Canadian inshore fisheries for twelve years, in excess of the value of the concessions made by the United States. Before the fall of the Macdonald government, Mr. Rothery, registrar of the High Court of Admiralty in England,

arrived in Canada as the agent of the British government to prepare the Canadian case for arbitration. In passing through Toronto Mr. Rothery spoke to several public men with a view to acquiring information as to the value of the fisheries. Mr. Brown availed himself of that opportunity to suggest to him that a treaty of reciprocity in trade would be a far better compensation to Canada than a cash payment. Mr. Rothery carried this proposal to Washington, where it was received with some favour.

Meantime the Mackenzie government had been moving in the matter, and in February 1874, Mr. Brown was informed that there was a movement at Washington for the renewal of the old reciprocity treaty, and was asked to make an unofficial visit to that city and estimate the chances of success. On February 12th, he wrote: "We know as yet of but few men who are bitterly against us. I saw General Butler, at his request, on the subject, and I understand he will support us. Charles Sumner is heart and hand with us, and is most kind to me personally." On February 14th, he expressed his belief that if a bill for the renewal of the reciprocity treaty could be submitted to congress at once, it would be carried.

A British commission was issued on March 17th, 1874, appointing Sir Edward Thornton, British minister at Washington, and Mr. Brown, as joint plenipotentiaries to negotiate a treaty of fisheries, commerce and navigation with the government of

the United States. This mode of representation was insisted upon by the Mackenzie government, in view of the unsatisfactory result of the negotiations of 1871, when Sir John A. Macdonald, as one commissioner out of six, made a gallant but unsuccessful fight for the rights of Canada. Mr. Brown was selected, not only because of his knowledge of and interest in reciprocity, but because of his attitude during the war, which had made him many warm friends among those who opposed slavery and stood for the union.

Negotiations were formally opened on March 28th. The Canadians proposed the renewal of the old reciprocity treaty, and the abandonment of the fishery arbitration. The American secretary of state, Mr. Fish, suggested the enlargement of the Canadian canals, and the addition of manufactures to the free list. The Canadian commissioners having agreed to consider these proposals, a project of a treaty was prepared to form a basis of discussion. It provided for the renewal of the old reciprocity treaty for twenty-one years, with the addition of certain manufactures; the abandonment of the fishery arbitration; complete reciprocity in coasting; the enlargement of the Welland and St. Lawrence canals; the opening of the Canadian, New York, and Michigan canals to vessels of both countries; the free navigation of Lake Michigan; the appointment of a joint commission for improving waterways, protecting fisheries and erecting lighthouses on the Great

Lakes. Had the treaty been ratified, there would have been reciprocity in farm and other natural products, and in a very important list of manufactures, including agricultural implements, axles, iron, in the forms of bar, hoop, pig, puddled, rod, sheet or scrap; iron nails, spikes, bolts, tacks, brads and springs; iron castings; locomotives and railroad cars and trucks; engines and machinery for mills, factories and steamboats; fire-engines; wrought and cast steel; steel plates and rails; carriages, carts, wagons and sleighs; leather and its manufactures, boots, shoes, harness and saddlery; cotton grain bags, denims, jeans, drillings, plaids and ticking; woollen tweeds; cabinet ware and furniture, and machines made of wood; printing paper for newspapers, paper-making machines, type, presses, folders, paper cutters, ruling machines, stereotyping and electrotyping apparatus. In general terms, it was as near to unrestricted reciprocity as was possible without raising the question of discriminating against the products of Great Britain.

Mr. Brown found that American misapprehensions as to Canada, its revenue, commerce, shipping, railways and industries were "truly marvellous." It was generally believed that the trade of Canada was of little value to the United States; that the reciprocity treaty had enriched Canada at their expense; and that the abolition of the treaty had brought Canada nearly to its wits' end. There was some excuse for these misapprehensions. Until

confederation, the trade returns from the different provinces were published separately, if at all. No clear statement of the combined traffic of the provinces with the United States was published until 1874, and even Canadians were ignorant of its extent. American protectionists founded a "balance of trade" argument on insufficient data. They saw that old Canada sold large quantities of wheat and flour to the United States, but not that the United States sent larger quantities to the Maritime Provinces; that Nova Scotia and Cape Breton sold coal to Boston and New York, but not that five times as much was sent from Pennsylvania to Canada. Brown prepared a memorandum showing that the British North American provinces, from 1820 to 1854, had bought one hundred and sixty-seven million dollars worth of goods from the United States, and the United States only sixty-seven million dollars worth from the provinces; that in the thirteen years of the treaty, the trade between the two countries was six hundred and thirty million dollars according to the Canadian returns, and six hundred and seventy million dollars according to the American returns; and that the so-called "balance of trade" in this period was considerably against Canada. It was shown that the repeal of the treaty did not ruin Canadian commerce; that the external trade of Canada which averaged one hundred and fifteen million dollars a year from 1854 to 1862, rose to one hundred and forty-two million dollars in the

year following the abrogation, and to two hundred and forty million dollars in 1873. In regard to wheat, flour, provisions, and other commodities of which both countries had a surplus, the effect of the prohibitory American duties had been to send the products of Canada to compete with those of the United States in neutral markets.

This memorandum was completed on April 27th and was immediately handed to Mr. Fish. It was referred to the treasury department, where it was closely examined and admitted to be correct. From that time there was a marked improvement in American feeling.

Brown also carried on a vigorous propaganda in the newspapers. In New York the *Tribune*, *Herald*, *Times*, *World*, *Evening Post*, *Express*, *Journal of Commerce*, *Graphic*, *Mail*, and other journals, declared in favour of a new treaty; and in Boston, Chicago, St. Louis, Cincinnati and other large cities, the press was equally favourable. A charge originated in Philadelphia and was circulated in the United States and Canada, that this unanimity of the press was obtained by the corrupt use of public money. Mr. Brown, in his speech in the senate of Canada denied this; said that not a shilling had been spent illegitimately, and that the whole cost of the negotiation to the people of Canada would be little more than four thousand dollars.

In his correspondence Brown speaks of meeting Senator Conkling, General Garfield and Carl Schurz,

all of whom were favourable. Secretary Fish is described as courteous and painstaking, but timid and lacking in grasp of the subject, and Brown speaks impatiently of the delays that are throwing the consideration of the draft treaty over to the end of the session of congress.

It did not reach the senate until two days before adjournment. "The president" wrote Mr. Brown on June 20th, "sent a message to the senate with the treaty, urging a decision before the adjournment of congress. I thought the message very good; but it has the defect of not speaking definitely of this message as his own and his government's and calling on the senate to sustain him. Had he done this, the treaty would have been through now. But now, with a majority in its favour, there seems some considerable danger of its being thrown over until December." The treaty was sent to the Foreign Relations Committee of the senate. "There were six present; three said to be for us, one against, and two for the measure personally, but wanted to hear from the country before acting. How it will end, no one can tell." As a matter of fact it ended there and then, as far as the United States were concerned.

Of the objections urged against the treaty in Canada, the most significant was that directed against the free list of manufactures. This was, perhaps, the first evidence of the wave of protectionist sentiment that overwhelmed the Mackenzie govern-

ment. In his speech in the senate, in 1875, justifying the treaty, Mr. Brown said: "Time was in Canada when the imposition of duty on any article was regarded as a misfortune, and the slightest addition to an existing duty was resented by the people. But increasing debt brought new burdens; the deceptive cry of 'incidental protection' got a footing in the land; and from that the step has been easy to the bold demand now set up by a few favoured industries, that all the rest of the community ought to be, and should rejoice to be, taxed seventeen and a half per cent. to keep them in existence."

Brown joined issue squarely with the protectionists. "I contend that there is not one article contained in the schedules that ought not to be wholly free of duty, either in Canada or the United States, in the interest of the public. I contend that the finance minister of Canada who—treaty or no treaty with the United States—was able to announce the repeal of all customs duties on the entire list of articles in Schedules A, B, and C,—even though the lost revenue was but shifted to articles of luxury, would carry with him the hearty gratitude of the country. Nearly every article in the whole list of manufactures is either of daily consumption and necessity among all classes of our population, or an implement of trade, or enters largely into the economical prosecution of the main industries of the Dominion." The criticism of the sliding scale, of which so much was heard at the time, was only

another phase of the protectionist objection. The charge that the treaty would discriminate in favour of American against British imports was easily disposed of. Brown showed that every article admitted free from the United States would be admitted free from Great Britain. But as this meant British as well as American competition, it made the case worse from the protectionist point of view. The rejection of the treaty by the United States left a clear field for the protectionists in Canada.

Four years after Mr. Brown's speech defending the treaty, he made his last important speech in the senate, and almost the last public utterance of his life, attacking Tilley's protectionist budget, and nailing his free-trade colours to the mast.

CHAPTER XXIII

CANADIAN NATIONALISM

IT will be remembered that after the victory won by the Reformers in 1848, there was an outbreak of radical sentiment, represented by the Clear Grits in Upper Canada and by the Rouges in Lower Canada. It may be more than a coincidence that there was a similar stirring of the blood in Ontario and in Quebec after the Liberal victory of 1874. The founding of the *Liberal* and of the *Nation*, of the National Club and of the Canada First Association, Mr. Blake's speech at Aurora, and Mr. Goldwin Smith's utterances combined to mark this period as one of extraordinary intellectual activity. Orthodox Liberalism was disquieted by these movements. It had won a great, and as was then believed, a permanent victory over Macdonald and all that he represented, and it had no sympathy with a disturbing force likely to break up party lines, and to lead young men into new and unknown paths.

The platform of Canada First was not in itself revolutionary. It embraced, (1) British connection; (2) closer trade relations with the British West India Islands, with a view to ultimate political connection; (3) an income franchise; (4) the ballot,

with the addition of compulsory voting; (5) a scheme for the representation of minorities; (6) encouragement of immigration and free homesteads in the public domain; (7) the imposition of duties for revenue so adjusted as to afford every possible encouragement to native industry; (8) an improved militia system under command of trained Dominion officers; (9) no property qualifications in members of the House of Commons; (10) reorganization of the senate; (11) pure and economic administration of public affairs. This programme was severely criticized by the *Globe*. Some of the articles, such as purity and economy, were scornfully treated as commonplaces of politics. "Yea, and who knoweth not such things as these." The framers of the platform were rebuked for their presumption in setting themselves above the old parties, and were advised to "tarry in Jericho until their beards be grown."

But the letter of the programme did not evince the spirit of Canada First, which was more clearly set forth in the prospectus of the *Nation*. There it was said that the one thing needful was the cultivation of a national spirit. The country required the stimulus of patriotism. Old prejudices of English, Scottish, Irish and German people were crystallized. Canadians must assert their nationality, their position as members of a nation. These and other declarations were analyzed by the *Globe*, and the heralds of the new gospel were pressed for a plainer avowal of their intentions. Throughout the editorial

utterances of the *Globe* there was shown a growing suspicion that the ulterior aim of the Canada First movement was to bring about the independence of Canada. The quarrel came to a head when Mr. Goldwin Smith was elected president of the National Club. The *Globe*, in its issue of October 27th, 1874, brought its heaviest artillery to bear on the members of the Canada First party. It accused them of lack of courage and frankness. When brought to book as to their principles, it said, they repudiated everything. They repudiated nativism; they repudiated independence; they abhorred the very idea of annexation. The movement was without meaning when judged by these repudiations, but was very significant and involved grave practical issues when judged by the practices of its members. They had talked loudly and foolishly of emancipation from political thraldom, as if the present connection of Canada with Great Britain were a yoke and a burden too heavy and too galling to be borne. They had adopted the plank of British connection by a majority of only four. They had chosen as their standard-bearer, their prophet and their president, one whose chief claim to prominence lay in the persistency with which he had advocated the breaking up of the British empire. Mr. Goldwin Smith had come into a peaceful community to do his best for the furtherance of a cause which meant simply revolution. The advocacy of independence, said the *Globe*, could not be treated

as an academic question. It touched every Canadian in his dearest and most important relations. It jeopardized his material, social and religious interests. Canada was not a mere dead limb of the British tree, ready to fall of its own weight. The union was real, and the branch was a living one. Great Britain, it was true, would not fight to hold Canada against her will, but if the great mass of Canadians believed in British connection, those who wished to break the bond must be ready to take their lives in their hands. The very proposal to cut loose from Britain would be only the beginning of trouble. In any case what was sought was revolution, and those who preached it ought to contemplate all the possibilities of such a course. They might be the fathers and founders of a new nationality, but they might also be simply mischief-makers, whose insignificance and powerlessness were their sole protection, who were not important enough for "either a traitor's trial or a traitor's doom."

Mr. Goldwin Smith's reply to this attack was that he was an advocate, not of revolution but of evolution. "Gradual emancipation," he said, "means nothing more than the gradual concession by the mother country to the colonies of powers of self-government; this process has already been carried far. Should it be carried further and ultimately consummated, as I frankly avow my belief it must, the mode of proceeding will be the same that it

has always been. Each step will be an Act of parliament passed with the assent of the Crown. As to the filial tie between England and Canada, I hope it will endure forever."

Mr. Goldwin Smith's views were held by some other members of the Canada First party. Another and a larger section were Imperialists, who believed that Canada should assert herself by demanding a larger share of self-government within the empire, and by demanding the privileges and responsibilities of citizens of the empire. The bond that united the Imperialists and the advocates of independence was national spirit. This was what the *Globe* failed to perceive, or at least to recognize fully. Its article of October 27th is powerful and logical, strong in sarcasm and invective. It displays every purely intellectual quality necessary for the treatment of the subject, but lacks the insight that comes from imagination and sympathy. The declarations of those whose motto was "Canada first," could fairly be criticized as vague, but this vagueness was the result, not of cowardice or insincerity, but of the inherent difficulty of putting the spirit of the movement into words. A youth whose heart is stirred by all the aspirations of coming manhood, "yearning for the large excitement that the coming years would yield," might have the same hesitation in writing down his yearnings and aspirations on a sheet of paper, and might be as unwisely snubbed by his elders.

The greatest intellect of the Liberal party felt the impulse. At Aurora Edward Blake startled the more cautious members of the party by advocating the federation of the empire, the reorganization of the senate, compulsory voting, extension of the franchise and representation of minorities. His real theme was national spirit. National spirit would be lacking until we undertook national responsibilities. He described the Canadian people as "four millions of Britons who are not free." By the policy of England, in which we had no voice or control, Canada might be plunged into the horrors of war. Recently, without our consent, the navigation of the St. Lawrence had been ceded forever to the United States. We could not complain of these things unless we were prepared to assume the full responsibilities of citizenship within the empire. The young men of Canada heard these words with a thrill of enthusiasm, but the note was not struck again. The movement apparently ceased, and politics apparently flowed back into their old channels. But while the name, the organization and the organs of Canada First in the press disappeared, the force and spirit remained, and exercised a powerful influence upon Canadian politics for many years.

There can be little doubt that the Liberal party was injured by the uncompromising hostility which was shown to the movement of 1874. Young men, enthusiasts, bold and original thinkers, began to

look upon Liberalism as a creed harsh, dry, tyrannical, unprogressive and hostile to new ideas. When the independent lodgment afforded by Canada First disappeared, many of them drifted over to the Conservative party, whose leader was shrewd enough to perceive the strength of the spirit of nationalism, and to give it what countenance he could. Protection triumphed at the polls in 1878, not merely by the use of economic arguments, but because it was heralded as the "National Policy" and hailed as a declaration of the commercial independence of Canada. A few years later the legislation for the building of the Canadian Pacific Railway, bold to the point of rashness, as it seemed, and unwise and improvident in some of its provisions, was heartily approved by the country, because it was regarded as a measure of national growth and expansion. The strength of the Conservative party from 1878 to 1891 was largely due to its adoption of the vital principle and spirit of Canada First.

The *Globe's* attacks upon the Canada First party also had the effect of fixing in the public mind a picture of George Brown as a dictator and a relentless wielder of the party whip, a picture contrasting strangely with those suggested by his early career. He had fought for responsible government, for freedom from clerical dictation; he had been one of the boldest of rebels against party discipline; he had carelessly thrown away a great party advantage in order to promote confederation; he had

been the steady opponent of slavery. In 1874 the Liberals were in power both at Ottawa and at Toronto, and Mr. Brown may not have been free from the party man's delusion that when his party is in power all is well, and agitation for change is mischievous. Canada First threatened to change the formation of political parties, and seemed to him to threaten a change in the relations of Canada to the empire. But these explanations do not alter the fact that his attitude caused the Liberal party to lose touch with a movement characterized by intellectual keenness and generosity of sentiment, representing a real though ill-defined national impulse, and destined to leave its mark upon the history of the country.

CHAPTER XXIV

LATER YEARS

IN the preceding chapters it has been necessary to follow closely the numerous public movements with which Brown was connected. Here we may pause and consider some incidents of his life and some aspects of his character which lie outside of these main streams of action. First, a few words about the Brown household. Of the relations between father and son something has already been said. Of his mother, Mr. Alexander Mackenzie says: "We may assume that Mr. Brown derived much of his energy, power and religious zeal from his half Celtic origin: these qualities he possessed in an eminent degree, united with the proverbial caution and prudence of the Lowlander." The children, in the order of age, were Jane, married to Mr. George Mackenzie of New York; George; Isabella, married to Mr. Thomas Henning; Katherine, who died unmarried; Marianne, married to the Rev. W. S. Ball; and John Gordon. There were no idlers in that family. The publication of the *Globe* in the early days involved a tremendous struggle. Peter Brown lent a hand in the business as well as in the editorial department of the paper. A good deal of the writing in the *Banner* and the early *Globe* seems to bear the

marks of his broad Liberalism and his passionate love of freedom. Gordon entered the office as a boy, and rose to be managing editor. Three of the daughters conducted a ladies' school, which enjoyed an excellent reputation for thoroughness. Katherine, the third daughter, was killed in a railway accident at Syracuse; and the shock seriously affected the health of the father, who died in 1863. The mother had died in the previous year.

By these events and by marriages the busy household was broken up. George Brown, as we have seen, married in 1862, and from that time until his death his letters to his wife and children show an intense affection and love of home. After her husband's death Mrs. Brown resided in Edinburgh, where she died on May 6th 1906. The only son, George M. Brown, was, in the last parliament, member of the British House of Commons for Centre Edinburgh, and is one of the firm of Thomas Nelson & Sons, publishers. In the same city reside two daughters, Margaret, married to Dr. A. F. H. Barbour, a well-known physician, and writer on medicine; and Edith, wife of George Sandeman. Among other survivors are, E. B. Brown, barrister, Toronto; Alfred S. Ball, K.C., police magistrate, Woodstock; and Peter B. Ball, commercial agent for Canada at Birmingham, nephews of George Brown.

From 1852 George Brown was busily engaged in public life, and a large part of the work of the newspaper must have fallen on other shoulders. There

are articles in which one may fancy he detects the French neatness of William Macdougall. George Sheppard spoke at the convention of 1859 like a statesman; and he and Macdougall had higher qualities than mere facility with the pen. Gordon Brown gradually grew into the editorship. "He had" says Mr. E. W. Thomson, writing of a later period, "a singular power of utilizing suggestions, combining several that were evidently not associated, and indicating how they could be merged in a striking manner. He seems to me now to have been the greatest all-round editor I have yet had the pleasure of witnessing at work, and in the political department superior to any of the old or of the new time in North America, except only Horace Greeley." But Mr. Thomson thinks that like most of the old-timers he took his politics a little too hard. Mr. Gordon Brown died in June, 1896.

Mr. Brown regarded his defeat in South Ontario in 1867, as an opportunity to retire from parliamentary life. He had expressed that intention several months before. He wrote to Holton, on May 13th, 1867, "My fixed determination is to see the Liberal party re-united and in the ascendant, and then make my bow as a politician. As a journalist and a citizen, I hope always to be found on the right side and heartily supporting my old friends. But I want to be free to write of men and things without control, beyond that which my conscientious convictions and the interests of my country

demand. To be debarred by fear of injuring the party from saying that —— is unfit to sit in parliament and that —— is very stupid, makes journalism a very small business. Party leadership and the conducting of a great journal do not harmonize."

In his speech at the convention of 1867 he said that he had looked forward to the triumph of representation by population as the day of his emancipation from parliamentary life, but that the case was altered by the proposal to continue the coalition, involving a secession from the ranks of the Liberal party. In this juncture it was necessary for Liberals to unite and consult, and if it were found that his continuance in parliamentary life for a short time would be a service to the party, he would not refuse. It would be impossible, however, for him to accept any official position, and he did not wish, by remaining in parliament, to stand in the way of those who would otherwise become leaders of the party. He again emphasized the difficulty of combining the functions of leadership of a party and management of a newspaper. "The sentiments of the leader of a party are only known from his public utterances on public occasions. If a wrong act is committed by an opponent or by a friend, he may simply shrug his shoulders." But it was otherwise with the journalist. He had been accused of fierce assaults on public men. "But I tell you if the daily thoughts and the words daily uttered by other public men were written in a book as mine have been, and circulated all

over the country, there would have been a very different comparison between them and myself. I have had a double duty to perform. If I had been simply the leader of a party and had not controlled a public journal, such things would not have been left on record. I might have passed my observations in private conversation, and no more would have been heard of them. But as a journalist it was necessary I should speak the truth before the people, no matter whether it helped my party or not; and this, of course, reflected on the position of the party. Consequently, I have long felt very strongly that I had to choose one position or the other—that of a leader in parliamentary life, or that of a monitor in the public press—and the latter has been my choice being probably more in consonance with my ardent temperament, and at the same time, in my opinion, more influential; for I am free to say that in view of all the grand offices that are now talked of—governorships, premierships and the like—I would rather be editor of the *Globe*, with the hearty confidence of the great mass of the people of Upper Canada, than have the choice of them all."

Of Mr. Brown's relations with the parliamentary leaders after his retirement, Mr. Mackenzie says: "Nor did he ever in after years attempt to control or influence parliamentary proceedings as conducted by the Liberals in opposition, or in the government; while always willing to give his opinion when asked on any particular question, he never volunteered

his advice. His opinions, of course, received free utterance in the *Globe*, which was more unfettered by reason of his absence from parliamentary duties; though even there it was rarely indeed that any articles were published which were calculated to inconvenience or discomfort those who occupied his former position."[1]

Left comparatively free to follow his own inclinations, Brown plunged into farming, spending money and energy freely in the raising of fine cattle on his Bow Park estate near Brantford, an extensive business which ultimately led to the formation of a joint stock company. The province of Ontario, especially western Ontario, was for him the object of an intense local patriotism. He loved to travel over it and to meet the people. It was noticed in the *Globe* office that he paid special attention to the weekly edition of the paper, as that which reached the farming community. His Bow Park enterprise gave him an increased feeling of kinship and sympathy with that community, and he delighted in showing farmers over the estate. It would be hard to draw a more characteristic picture than that of the tall senator striding over the fields, talking of cattle and crops with all the energy with which he was wont to denounce the Tories.

Brown was appointed to the senate in December, 1873. Except for the speech on reciprocity, which is dealt with elsewhere, his career there was not note-

[1] Mackenzie's *Life and Speeches of the Hon. George Brown*, p. 119.

worthy. He seems to have taken no part in the discussion on Senator Vidal's resolution in favour of prohibition, or on the Scott Act, a measure for introducing prohibition by local option. A popular conception of Brown as an ardent advocate of legislative prohibition may have been derived from some speeches made in his early career, and from an early prospectus of the *Globe*. On the bill providing for government of the North-West Territories he made a speech against the provision for separate schools, warning the House that the effect would be to fasten these institutions on the West in perpetuity.

In 1876 Senator Brown figured in a remarkable case of contempt of court. A Bowmanville newspaper had charged Senator Simpson, a political ally of Brown, with resorting to bribery in the general election of 1872. It published also a letter from Senator Brown to Senator Simpson, asking him for a subscription towards the Liberal campaign fund. On Senator Simpson's application, Wilkinson, the editor of the paper, was called upon to show cause why a criminal information should not issue against him for libel. The case was argued before the Queen's Bench, composed of Chief-Justice Harrison, Justice Morrison, and Justice Wilson. The judgment of the court delivered by the chief-justice was against the editor in regard to two of the articles complained of and in his favour in regard to the third. In following the chief-justice, Mr. Justice Wilson took occasion to refer to Senator Brown's letter and

to say that it was written with corrupt intent to interfere with the freedom of elections.

Brown was not the man to allow a charge of this kind to go unanswered, and in this case there were special circumstances calculated to arouse his anger. The publication of his letter in the Bowmanville paper had been the signal for a fierce attack upon him by the Conservative press of the province. It appeared to him that Justice Wilson had wantonly made himself a participant in this attack, lending the weight of his judicial influence to his enemies. Interest was added to the case by the fact that the judge had been in previous years supported by the *Globe* in municipal and parliamentary elections. He had been solicitor-general in the Macdonald-Sicotte government from May 1862 to May 1863. Judge Morrison had been solicitor-general under Hincks, and afterwards a colleague of John A. Macdonald. Each of them, in this case, took a course opposite to that which might have been expected from old political associations.

A few days afterwards the *Globe* contained a long, carefully prepared and powerful attack upon Mr. Justice Wilson. Beginning with a tribute to the Bench of Ontario, it declared that no fault was to be found with the judgment of the court, and that the offence lay in the gratuitous comments of Mr. Justice Wilson.

"No sooner had the chief-justice finished than Mr. Justice Wilson availed himself of the occasion

to express his views of the matter with a freedom of speech and an indifference to the evidence before the court and an indulgence in assumptions, surmises and insinuations, that we believe to be totally unparalleled in the judicial proceedings of any Canadian court."

The article denied that the letter was written with any corrupt intent, and it stated that the entire fund raised by the Liberal party in the general election of 1872 was only three thousand seven hundred dollars, or forty-five dollars for each of the eighty-two constituencies. "This Mr. Justice Wilson may rest assured of: that such slanders and insults shall not go unanswered, and if the dignity of the Bench is ruffled in the tussle, on his folly shall rest the blame. We cast back on Mr. Wilson his insolent and slanderous interpretation. The letter was not written for corrupt purposes. It was not written to interfere with the freedom of elections. It was not an invitation to anybody to concur in committing bribery and corruption at the polls; and be he judge or not who says so, this statement is false."

The writer went on to contend that there were perfectly legitimate expenditures in keenly contested elections. "Was there no such fund when Mr. Justice Wilson was in public life? When the hat went round in his contest for the mayoralty, was that or was it not a concurrence in bribery or corruption at the polls?" Mr. Justice Wilson had justified his comment by declaring that he might take notice of

matters with which every person of ordinary intelligence was acquainted. Fastening upon these words the *Globe* asked, "How could Mr. Justice Wilson in his hunt for things which every person of ordinary intelligence is acquainted with, omit to state that while the entire general election fund of the Liberal party for that year (1872) was but three thousand seven hundred dollars, raised by subscription from a few private individuals, the Conservative fund on the same occasion amounted to the enormous sum of two hundred thousand dollars, raised by the flagitious sale of the Pacific Railway contract to a band of speculators on terms disastrous to the interests of the country."

In another vigorous paragraph the writer said: "We deeply regret being compelled to write of the conduct of any member of the Ontario Bench in the tone of this article, but the offence was so rank, so reckless, so utterly unjustifiable that soft words would have but poorly discharged our duty to the public."

No proceedings were taken in regard to this article until about five months afterwards, when Mr. Wilkinson, the editor of the Bowmanville paper, applied to have Mr. Brown committed for contempt of court. The judge assailed took no action and the case was tried before his colleagues, Chief-Justice Harrison and Judge Morrison. Mr. Brown appeared in person and made an argument occupying portions of two days. He pointed out that the application

had been delayed five months after the publication of the article. He contended that Wilkinson was not prejudiced by the *Globe* article and had no standing in the case. In a lengthy affidavit he entered into the whole question of the expenditure of the two parties in the election of 1872, including the circumstances of the Pacific Scandal. He repeated on oath the statement made in the article that his letter was not written with corrupt intent; that the subscription asked for was for legitimate purposes and that it was part of a fund amounting to only three thousand seven hundred dollars for the whole province of Ontario. He boldly justified the article as provoked by Mr. Justice Wilson's dictum and by the use that would be made of it by hostile politicians. The judge had chosen to intervene in a keen political controversy whose range extended to the Pacific Scandal; and in defending himself from his enemies and the enemies of his party, Brown was forced to answer the judge. He argued that to compel an editor to keep silence in such a case, would not only be unjust to him, but contrary to public policy. For instance, the discussion of a great public question such as that involved in the Pacific Scandal, might be stopped upon the application of a party to a suit in which that question was incidentally raised.

The case was presented with his accustomed energy and thoroughness, from the point of view of journalistic duty, of politics and of law—for Mr.

Brown was not afraid to tread that sacred ground and give extensive citations from the law reports. His address may be commended to any editor who may be pursued by that mysterious legal phantom, a charge of contempt of court. The energy of his gestures, the shaking of the white head and the swinging of the long arms, must have somewhat startled Osgoode Hall. The court was divided, the chief-justice ruling that there had been contempt, Mr. Justice Morrison, contra, and Mr. Justice Wilson taking no part in the proceedings. So the matter dropped, though not out of the memory of editors and politicians.

CHAPTER XXV

CONCLUSION

THE building in which the life of the Hon. George Brown was so tragically ended, was one that had been presented to him by the Reformers of Upper Canada before confederation "as a mark of the high sense entertained by his political friends of the long, faithful and important services which he has rendered to the people of Canada." It stood upon the north side of King Street, on ground which is now the lower end of Victoria Street, for the purpose of extending which, the building was demolished. The ground floor was occupied by the business office; on the next, looking out upon King Street, was Mr. Brown's private office; and above that the rooms occupied by the editorial staff, with the composing room in the rear. At about half past four o'clock on the afternoon of March 25th, 1880, several of the occupants of the editorial rooms heard a shot, followed by a sound of breaking glass, and cries of "Help!" and "Murder!" Among these were Mr. Avern Pardoe, now librarian of the legislative assembly of Ontario; Mr. Archibald Blue, now head of the census bureau at Ottawa; Mr. John A. Ewan, now leader writer on the *Globe*; and Mr. Allan S. Thompson, father of

the present foreman of the *Globe* composing room. Mr. Ewan and Mr. Thompson were first to arrive on the scene. Following the direction from which the sounds proceeded, they found Mr. Brown on the landing, struggling with an undersized man, whose head was thrust into Brown's breast. Mr. Ewan and Mr. Thompson seized the man, while Mr. Brown himself wrested a smoking pistol from his hand. Mr. Blue, Mr. Pardoe and others quickly joined the group, and Mr. Brown, though not apparently severely injured, was induced to lie on the sofa in his room, where his wound was examined. The bullet had passed through the outer side of the left thigh, about four inches downward and backward; it was found on the floor of the office.

The assailant was George Bennett, who had been employed in the engine room of the *Globe* for some years, and had been discharged for intemperance. Mr. Brown said that when Bennett entered the office he proceeded to shut the door behind him. Thinking the man's movements singular, Mr. Brown stopped him and asked him what he wanted. Bennett, after some hesitation, presented a paper for Mr. Brown's signature, saying that it was a statement that he had been employed in the *Globe* for five years. Mr. Brown said he should apply to the head of the department in which he was employed. Bennett said that the head of the department had refused to give the certificate. Mr. Brown then told him to apply to Mr. Henning, the treasurer of the company, who

could furnish the information by examining his books.

Bennett kept insisting that Mr. Brown should sign the paper, and finally began to fumble in his pistol pocket, whereupon it passed through Mr. Brown's mind "that the little wretch might be meaning to shoot me." As he got the pistol out, Mr. Brown seized his wrist and turned his hand downward. After one shot had been fired, the struggle continued until the two got outside the landing, where they were found as already described.

The bullet had struck no vital part, and the wound was not considered to be mortal. But as week after week passed without substantial improvement, the anxiety of his friends and of the country deepened. At the trial the question was raised whether recovery had been prevented by the fact that Mr. Brown, against the advice of his physician, transacted business in his room. After the first eight or ten days there were intervals of delirium. Towards the end of April when the case looked very serious, Mr. Brown had a long conversation with the Rev. Dr. Greig, his old pastor, and with members of his family. "In that conversation," says Mr. Mackenzie, "he spoke freely to them of his faith and hope, and we are told poured out his soul in full and fervent prayer," and he joined heartily in the singing of the hymn "Rock of Ages." A few days afterwards he became unconscious; the physicians ceased to press stimulants or nourish-

ment upon him, and early on Sunday, May 10th, he passed away.

Bennett was tried and found guilty of murder on June 22nd following, and was executed a month afterwards. Though he caused the death of a man so conspicuous in the public life of Canada, his act is not to be classed with assassinations committed from political motives, or even from love of notoriety. On the scaffold he said that he had not intended to kill Mr. Brown. However this may be, it is certain that it was not any act of Mr. Brown's that set up that process of brooding over grievances that had so tragic an ending. By misfortune and by drinking, a mind, naturally ill-regulated had been reduced to that condition in which enemies are seen on every hand. A paper was found upon him in which he set forth a maniacal plan of murdering a supposed enemy and concealing the remains in the furnace of the *Globe* building. That the original object of his enmity was not Mr. Brown is certain; there was not the slightest ground for the suspicion that the victim was made to suffer for some enmity aroused in his strenuous career as a public man. Strange that after such a career he should meet a violent death at the hands of a man who was thinking solely of private grievances!

Tracing Mr. Brown's career through a long period of history, by his public actions, his speeches, and the volumes of his newspaper, one arrives at a somewhat different estimate from that preserved in

familiar gossip and tradition. That tradition pictures a man impulsive, stormy, imperious, bearing down by sheer force all opposition to his will. In the main it is probably true; but the printed record is also true, and out of the two we must strive to reproduce the man. We are told of a speech delivered with flashing eye, with gestures that seemed almost to threaten physical violence. We read the report of the speech and we find something more than the ordinary transition from warm humanity to cold print. There is not only freedom from violence, but there is coherence, close reasoning, a systematic marshalling of facts and figures and arguments. One might say of many of his speeches, as was said of Alexander Mackenzie's sentences, that he built them as he built a stone wall. His tremendous energy was not spasmodic, but was backed by solid industry, method and persistence.

As Mr. Bengough said in a little poem published soon after Mr. Brown's death,

> "His nature was a rushing mountain stream;
> His faults but eddies which its swiftness bred."

In his business as a journalist, he had not much of that philosophy which says that the daily difficulties of a newspaper are sure to solve themselves by the effluxion of time. There are traditions of his impatience and his outbreaks of wrath when something went wrong, but there are traditions also of a kindness large enough to include the lad who carried the proofs to his house. Those who were

thoroughly acquainted with the affairs of the office say that he was extremely lenient with employees who were intemperate or otherwise incurred blame, and that his leniency had been extended to Bennett. Intimate friends and political associates deny that he played the dictator, and say that he was genial and humorous in familiar intercourse. But it is, after all, a somewhat unprofitable task to endeavour to sit in judgment on the personal character of a public man, placing this virtue against that fault, and solemnly assuming to decide which side of the ledger exceeds the other. We have to deal with the character of Brown as a force in its relation to other forces, and to the events of the period of history covered by his career.

A quarter of a century has now elapsed since the death of George Brown and a still longer time since the most stirring scenes in his career were enacted. We ought therefore to be able to see him in something like his true relation to the history of his times. He came to Canada at a time when the notion of colonial self-government was regarded as a startling innovation. He found among the dominant class a curious revival of the famous Stuart doctrine, "No Bishop, no King;" hence the rise of such leaders, partly political and partly religious, as Bishop Strachan, among the Anglicans, and Dr. Ryerson, among the Methodists, the former vindicating and the latter challenging the exclusive privileges of the Anglican Church. There was room

for a similar leader among Presbyterians, and in a certain sense this was the opportunity of George Brown. In founding first a Presbyterian paper and afterwards a political paper, he was following a line familiar to the people of his time. But while he had a special influence among Presbyterians, he appeared, not as claiming special privileges for them, but as the opponent of all privilege, fighting first the Anglican Church and afterwards the Roman Catholic Church, and asserting in each case the principle of the separation of Church and State.

For some years after Brown's arrival in Canada, those questions in which politics and religion were blended were subordinated to a question purely political—colonial self-government. The atmosphere was not favourable to cool discussion. The colony had been in rebellion, and the passions aroused by the rebellion were always ready to burst into flame. French Canada having been more deeply stirred by the rebellion than Upper Canada, racial animosity was added there to party bitterness. The task of the Reformers was to work steadily for the establishment of a new order involving a highly important principle of government, and, at the same time, to keep the movement free from all suspicion of incitement to rebellion.

The leading figure of this movement is that of Robert Baldwin, and he was well supported by Hincks, by Sullivan, by William Hume Blake and others. The forces were wisely led, and it is not pre-

tended that this direction was due to Brown. He was in 1844 only twenty-six years of age, and his position at first was that of a recruit. But he was a recruit of uncommon vigour and steadiness, and though he did not originate, he emphasized the idea of carrying on the fight on strictly constitutional and peaceful lines. His experience in New York and his deep hatred of slavery had strengthened by contrast his conviction that Great Britain was the citadel of liberty, and hence his utterances in favour of British connection were not conventional, but glowed with enthusiasm.

With 1849 came the triumph of Reform, and the last despairing effort of the old régime, dying out with the flames of the parliament buildings at Montreal. Now ensued a change in both parties. The one, exhausted and discredited by its fight against the inevitable coming of the new order, remained for a time weak and inactive, under a leader whose day was done. The other, in the very hour of victory, began to suffer disintegration. It had its Conservative element desiring to rest and be thankful, and its Radical element with aims not unlike those of Chartism in England. Brown stood for a time between the government and the Conservative element on the one side and the Clear Grits on the other. Disintegration was hastened by the retirement of Baldwin and Lafontaine. Then came the brief and troubled reign of Hincks; then a reconstruction of parties, with Conservatives under

the leadership of Macdonald and Reformers under that of Brown.

The stream of politics between 1854 and 1864 is turbid; there is pettiness, there is bitterness, there is confusion. But away from this turmoil the province is growing in population, in wealth, in all the elements of civilization. Upper Canada especially is growing by immigration; it overtakes and passes Lower Canada in population, and thus arises the question of representation by population. Brown takes up this reform in representation as a means of freeing Upper Canada from the domination of the Lower Province. He becomes the "favourite son" of Upper Canada. His rival, through his French-Canadian alliance, meets him with a majority from Lower Canada; and so, for several years, there is a period of equally balanced parties and weak governments, ending in dead-lock.

If Brown's action had only broken this dead-lock, extricated some struggling politicians from difficulty, and allowed the ordinary business of government to proceed, it might have deserved only passing notice. But more than that was involved. The difficulty was inherent in the system. The legislative union was Lord Durham's plan of assimilating the races that he had found "warring in the bosom of a single state." The plan had failed. The line of cleavage was as sharply defined as ever. The ill-assorted union had produced only strife and misunderstanding. Yet to break the tie when new

duties and new dangers had emphasized the necessity for union seemed to be an act of folly. To federalize the union was to combine the advantage of common action with liberty to each community to work out its own ideals in education, municipal government and all other matters of local concern. More than that, to federalize the union was to substitute for a rigid bond a bond elastic enough to allow of expansion, eastward to the Atlantic and westward to the Pacific. That principle which has been called provincial rights, or provincial autonomy, might be described more accurately and comprehensively as federalism; and it is the basic principle of Canadian political institutions, as essential to unity as to peace and local freedom.

The feeble, isolated and distracted colonies of 1864 have given place to a commonwealth which, if not in strictness a nation, possesses all the elements and possibilities of nationality, with a territory open on three sides to the ocean, lying in the highway of the world's commerce, and capable of supporting a population as large as that of the British Islands. Confederation was the first and greatest step in that process of expansion, and it is speaking only words of truth and soberness to say that confederation will rank among the landmarks of the world's history, and that its importance will not decline but will increase as history throws events into their true perspective. It is in his association with confederation, with the events

that led up to confederation, and with the addition to Canada of the vast and fertile plains of the West, that the life of George Brown is of interest to the student of history.

Brown was not only a member of parliament and an actor in the political drama, but was the founder of a newspaper, and for thirty-six years the source of its inspiration and influence. As a journalist he touched life at many points. He was a man of varied interests—railways, municipal affairs, prison reform, education, agriculture, all came within the range of his duty as a journalist and his interest and sympathy as a man. Those stout-hearted men who amid all the wrangling and intrigue of the politicians were turning the wilderness of Canada into a garden, gave to Brown in large measure their confidence and affection. He, on his part, valued their friendship more than any victory that could be won in the political game. That was the standard by which he always asked to be judged. This story of his life may help to show that he was true to the trust they reposed in him, and to the principles that were the standards of his political conduct, to government by the people, to free institutions, to religious liberty and equality, to the unity and progress of the confederation of which he was one of the builders.

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